# JOURNAL

OF THE

# HOUSE OF REPRESENTATIVES

OF THE

## COMMONWEALTH OF KENTUCKY

Regular Session 1934

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VOL. IV

---

Held in the State Capitol, in the Capital City of Kentucky,
at Frankfort, in the year of Our Lord 1934 and in
the One Hundred and Forty-first year
of the Commonwealth

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Begun on the second day of January and adjourned
sine die on the fifteenth day of March

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IRVINE SANDERS, *Chief Clerk*
E. M. FORD, *Assistant Clerk*
JANE ADAMS WADDLE, *Stenographer*

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# JOURNAL

OF THE

# HOUSE OF REPRESENTATIVES

OF THE

# COMMONWEALTH OF KENTUCKY

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## SATURDAY, MARCH 10, 1934.

The House was opened with prayer by the Reverend Olaf Anderson of the Presbyterian Church, South, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

| | | |
|---|---|---|
| Henry H. Allen | Sidney J. Collins | W. Yancey Handy |
| Carroll D. Asbury | D. B. Coughlin | Judson Harmon |
| Levi Baker | Joel T. Crenshaw | Frank Harris |
| Harold L. Barnes | Carroll L. Cropper | R. M. Harrison, Jr. |
| Marshall Barnes | G. Cunningham | J. Joseph Hettinger |
| Robert E. Beatty | W. J. Curtis | Dr. A. L. Hill |
| B. F. Bedford | Harry Davis | John R. Hobbs |
| Wm. B. Belknap | R. A. Demunbrun | G. W. Howard |
| Reuben J. Boling | S. S. Dickson | Ira W. Hulette |
| O. J. Bowen | Garland Embry | G. C. Johnson |
| Jas. C. Bright | Clarence E. Evans | T. M. Johnson |
| Corbett Brown | Rudy Ferguson | J. H. King |
| Wallace Brown | J. B. Floyd | Leo King |
| Frank C. Bruton | L. J. Gammon | John Kirtley |
| Hugh K. Bullitt | W. J. Garnett | W. L. Knuckles, Jr. |
| Mrs. Cecil Cantrill | Ralph Gilbert | Glenn W. Lane |
| Charles Chandler | Ferd A. Gnau | Alden L. Love |
| J. A. Coleman | J. S. Hall | M. T. McCarthy |

| | | |
|---|---|---|
| Herschel McKinley | Rodes K. Myers | Harry Sparks |
| C. C. McMasters | James I. Peters | Lafe J. Spencer |
| Roy McWaters | Steve Pieratt | Lyle C. Tackett |
| C. C. May | Kleber F. Price | John W. Taylor |
| J. S. Mattingly | G. M. Pritchett | Harry B. Thornton |
| L. B. Meadors | Pat Rankin | J. Sterling Towles |
| G. Samuel Milam | Waylon Rayburn | Starling B. Tracy |
| Clarence Miller | W. P. Renfro | Henry T. Ward |
| H. H. Miller | L. D. Sandlin | Robert E. Webb |
| W. H. Miller | Avery Sartin | J. B. Wicker |
| James B. Milliken | Jos. W. Schneider | B. M. Williams |
| Tyler Munford | Mrs. M. B. Scott | W. E. Rogers, Spr. |

Mr. Rayburn moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Without objection and at the instance of the Committee on Rules, the following bill was introduced, viz.:

By Mr. Belknap:

H. B. 893. An Act relating to the Primary System of Roads and Highways.

Ordered that said bill be printed and referred to Committee on Rules.

The Enrolling Clerk of this House delivered the Original and enrolled copies of bills and a resolution which originated in this House, entitled:

H. Res. 30. A resolution authorizing S. M. Green, his personal representative, executor or administrator to sue the Commonwealth.

H. B. 45. An Act amending and re-enacting Section 4019, Kentucky Statutes, Carroll's 1933 Edition (Baldwin's Revision 1933 Supplement).

H. B. 126. An Act providing for the regulation and control of utilities within the Commonwealth of Kentucky as the word "utilities" is defined therein; etc.

Which were signed by the Speaker on yesterday in open session and in the presence of the House,

Duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills and resolutions to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

The hour of ten-thirty o'clock A. M. having arrived, that being the hour for the Special Order of the Day, to-wit, a bill entitled:

H. B. 719. An Act to provide old age pensions for the citizens of the Commonwealth of Kentucky.

With amendments thereto as offered by the Committee and agreed to by this House on yesterday.

(For bill see House Journal of yesterday.)

(For amendments as adopted by the House, see House Journal of yesterday.)

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being

engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Frank Harris | Tyler Munford |
| Levi Baker | R. M. Harrison, Jr. | Rodes K. Myers |
| Harold L. Barnes | J. Joseph Hettinger | James I. Peters |
| Reuben J. Boling | Dr. A. L. Hill | Steve Pieratt |
| O. J. Bowen | John R. Hobbs | Kleber F. Price |
| Jas. C. Bright | G. W. Howard | G. M. Pritchett |
| Corbett Brown | Ira W. Hulette | Waylon Rayburn |
| Frank C. Bruton | T. M. Johnson | W. P. Renfro |
| J. A. Coleman | J. H. King | L. D. Sandlin |
| Carroll L. Cropper | John Kirtley | Avery Sartin |
| G. Cunningham | W. L. Knuckles, Jr. | Jos. W. Schneider |
| W. J. Curtis | Alden L. Love | Mrs. M. B. Scott |
| Harry Davis | M. T. McCarthy | Harry Sparks |
| R. A. Demunbrun | Herschel McKinley | Lafe J. Spencer |
| Garland Embry | C. C. McMasters | Lyle C. Tackett |
| W. J. Garnett | Roy McWaters | John W. Taylor |
| Ferd A. Gnau | C. C. May | Harry B. Thornton |
| J. S. Hall | L. B. Meadors | Robert E. Webb |
| W. Yancey Handy | H. H. Miller | J. B. Wicker |
| Judson Harmon | W. H. Miller | B. M. Williams |

—58

Those who voted in the negative were—

| | | |
|---|---|---|
| Marshall Barnes | Joel T. Crenshaw | J. S. Mattingly |
| Wm. B. Belknap | S. S. Dickson | James B. Milliken |
| Wallace Brown | J. B. Floyd | Pat Rankin |
| Hugh K. Bullitt | L. J. Gammon | J. Sterling Towles |
| Mrs. Cecil Cantrill | Ralph Gilbert | Starling B. Tracy |
| Sidney J. Collins | Glenn W. Lane | Henry T. Ward |

—18

Mr. Bright offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 719 to read "Knuckles-Meadors Measure".

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 707. An Act to establish as a part of the primary system of State Highways a road from Highway No. 80 at Big Creek Church to the Greensburg and Edmonton road.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Marshall Barnes | Reuben J. Boling |
| Levi Baker | B. F. Bedford | O. J. Bowen |
| Harold L. Barnes | Wm. B. Belknap | Jas. C. Bright |

| | | |
|---|---|---|
| Corbett Brown | Frank Harris | James B. Milliken |
| Wallace Brown | R. M. Harrison, Jr. | Tyler Munford |
| Frank C. Bruton | J. Joseph Hettinger | Rodes K. Myers |
| Hugh K. Bullitt | Dr. A. L. Hill | James I. Peters |
| Mrs. Cecil Cantrill | John R. Hobbs | Steve Pieratt |
| J. A. Coleman | G. W. Howard | Kleber F. Price |
| Sidney J. Collins | Ira W. Hulette | G. M. Pritchett |
| D. B. Coughlin | G. C. Johnson | Waylon Rayburn |
| Joel T. Crenshaw | T. M. Johnson | W. P. Renfro |
| Carroll L. Cropper | J. H. King | L. D. Sandlin |
| G. Cunningham | Leo King | Avery Sartin |
| W. J. Curtis | John Kirtley | Jos. W. Schneider |
| Harry Davis | W. L. Knuckles, Jr. | Mrs. M. B. Scott |
| R. A. Demunbrun | Alden L. Love | Harry Sparks |
| S. S. Dickson | M. T. McCarthy | Lafe J. Spencer |
| Garland Embry | C. C. McMasters | Lyle C. Tackett |
| Clarence E. Evans | Roy McWaters | John W. Taylor |
| Rudy Ferguson | C. C. May | Harry B. Thornton |
| J. B. Floyd | J. S. Mattingly | J. Sterling Towles |
| W. J. Garnett | L. B. Meadors | Starling B. Tracy |
| Ferd A. Gnau | G. Samuel Milam | Robert E. Webb |
| J. S. Hall | Clarence Miller | J. B. Wicker |
| W. Yancey Handy | H. H. Miller | B. M. Williams |
| Judson Harmon | W. H. Miller | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be a saforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 711. An Act to add to the Primary System of Public Roads. The road leading from a point in the Jefferson Davis Highway in or near the city of Daysville, Todd County, Kentucky, thence running in a southerly direction about one and one-half miles to the Logan County line, thence continuing in a southerly direction about two and one-half miles, intersecting U. S. Highway No. 81, known as the Guthrie and Russellville Highway, at a pont near Volney Church, thus following the site of the present road known as the old Volney road.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 4356T-5, of Article 2, Chapter 110 of the Kentucky Statutes, 1922 Edition, relating to public roads, be amended by adding and inserting the following project number ....., the road leading from a point in the Jefferson Davis Highway in or near the city of Daysville, Todd County, Kentucky, thence running in a southerly direction about one and one-half miles to the Logan County Line, thence continuing in a southerly direction about two and one-half miles, intersecting U. S. Highway No. 81, known as the Guthrie and Russellville Highway, at a point near Volney Church, thus following the site of the present road known as the old Volney road.

This route when established to be designated as Project No. ....., and to be entited to and receive all the benefits relating to the Primary System of roads and highways. The State Highway Commission will have said route surveyed and located.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | |

—80

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 713. An Act establishing and creating as a part of the Primary System of roads and highways of the Commonwealth of Kentucky, a road beginning at a point on the Redbush-Paintsville Road, near Hendricks Salyer's farm, in Johnson County, and running thence to the Sitka-Blaine Road near Fred Murray's farm, in Johnson County.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There hereby is established as a part of the Primary System of State Roads and Highways of the Commonwealth of Kentucky, a road beginning at a point on the Redbush-Paintsville Road near Hendricks Salyer's farm, in Johnson County, and running thence to the Sitka-Blaine Road near Fred Murray's farm, in Johnson County, via Flat Gap and Upper Frank's Creek School.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17, page 76, of the Acts of 1920, as amended, establishing and creating a Primary System of State Highways, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the Primary System of State Highways.

§ 3. Said project when completed shall be known and designated as State Project No. .....

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 714. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at or near London, Kentucky, and running with the Sublimity road by way of Keavy, Kentucky, and terminating at or near Whitley City, McCreary County, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at or near London, Kentucky, and running with the Sublimity road by way of Keavy, Kentucky, and terminating at or near Whitley City, McCreary County, Kentucky.

The road now established as part of the Primary System of Highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 715. An Act creating and establishing as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at or near Mt. Vernon, Kentucky, on State Highway No. 25, and running with the old Somerset and Mt. Vernon road by way of Levelgreen and Plato postoffices, intersecting with State Highway No. 80 at or near Flatlick, Pulaski County, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at or near Mt. Vernon, Kentucky, on State Highway No. 25, and running with the old Somerset and Mt. Vernon road by way of Levelgreen and Plato postoffices, intersecting with State Highway No. 80, at or near Flatlick, Pulaski County, Kentucky.

The road now established as part of the Primary System of Highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Com-

mission and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | R. A. Demunbrun | John Kirtley |
| Levi Baker | S. S. Dickson | W. L. Knuckles, Jr. |
| Harold L. Barnes | Garland Embry | Alden L. Love |
| Marshall Barnes | Clarence E. Evans | M. T. McCarthy |
| B. F. Bedford | Rudy Ferguson | C. C. McMasters |
| Wm. B. Belknap | J. B. Floyd | Roy McWaters |
| Reuben J. Boling | W. J. Garnett | C. C. May |
| O. J. Bowen | Ferd A. Gnau | J. S. Mattingly |
| Jas. C. Bright | J. S. Hall | L. B. Meadors |
| Corbett Brown | W. Yancey Handy | G. Samuel Milam |
| Wallace Brown | Judson Harmon | Clarence Miller |
| Frank C. Bruton | Frank Harris | H. H. Miller |
| Hugh K. Bullitt | R. M. Harrison, Jr. | W. H. Miller |
| Mrs. Cecil Cantrill | J. Joseph Hettinger | James B. Milliken |
| J. A. Coleman | Dr. A. L. Hill | Tyler Munford |
| Sidney J. Collins | John R. Hobbs | Rodes K. Myers |
| D. B. Coughlin | G. W. Howard | James I. Peters |
| Joel T. Crenshaw | Ira W. Hulette | Steve Pieratt |
| Carroll L. Cropper | G. C. Johnson | Kleber F. Price |
| G. Cunningham | T. M. Johnson | G. M. Pritchett |
| W. J. Curtis | J. H. King | Waylon Rayburn |
| Harry Davis | Leo King | W. P. Renfro |

| | | |
|---|---|---|
| L. D. Sandlin | Lafe J. Spencer | Starling B. Tracy |
| Avery Sartin | Lyle C. Tackett | Robert E. Webb |
| Jos. W. Schneider | John W. Taylor | J. B. Wicker |
| Mrs. M. B. Scott | Harry B. Thornton | B. M. Williams |
| Harry Sparks | J. Sterling Towles | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 716. An Act creating and establishing as part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at or near London, Kentucky, and running with the Sublimity road by way of Hart, Hightop, Rockcastle Springs to Pineknot, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at or near London, Kentucky, and running with the Sublimity road by way of Hart, Hightop, Rockcastle Springs to Pineknot, Kentucky.

The road now established as part of the Primary System of Highways of the Commonwealth of Kentucky shall be given

an appropriate number by the Kentucky State Highway Commission and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Harry Davis | J. H. King |
| Levi Baker | R. A. Demunbrun | Leo King |
| Harold L. Barnes | S. S. Dickson | John Kirtley |
| Marshall Barnes | Garland Embry | W. L. Knuckles, Jr. |
| B. F. Bedford | Clarence E. Evans | Alden L. Love |
| Wm. B. Belknap | Rudy Ferguson | M. T. McCarthy |
| Reuben J. Boling | J. B. Floyd | C. C. McMasters |
| O. J. Bowen | W. J. Garnett | Roy McWaters |
| Jas. C. Bright | Ferd A. Gnau | C. C. May |
| Corbett Brown | J. S. Hall | J. S. Mattingly |
| Wallace Brown | W. Yancey Handy | L. B. Meadors |
| Frank C. Bruton | Judson Harmon | G. Samuel Milam |
| Hugh K. Bullitt | Frank Harris | Clarence Miller |
| Mrs. Cecil Cantrill | R. M. Harrison, Jr. | H. H. Miller |
| J. A. Coleman | J. Joseph Hettinger | W. H. Miller |
| Sidney J. Collins | Dr. A. L. Hill | James B. Milliken |
| D. B. Coughlin | John R. Hobbs | Tyler Munford |
| Joel T. Crenshaw | G. W. Howard | Rodes K. Myers |
| Carroll L. Cropper | Ira W. Hulette | James I. Peters |
| G. Cunningham | G. C. Johnson | Steve Pieratt |
| W. J. Curtis | T. M. Johnson | Kleber F. Price |

| | | |
|---|---|---|
| G. M. Pritchett | Mrs. M. B. Scott | J. Sterling Towles |
| Waylon Rayburn | Harry Sparks | Starling B. Tracy |
| W. P. Renfro | Lafe J. Spencer | Robt. E. Webb |
| L. D. Sandlin | Lyle C. Tackett | J. B. Wicker |
| Avery Sartin | John W. Taylor | B. M. Williams |
| Jos. W. Schneider | Harry B. Thornton | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 718. An Act creating and establishing as part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at a point on the O. & K. Railroad bed at or near Wilhurst, Breathitt County, Kentucky, and extending northward to Helechawa, Wolfe County, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at a point on the O. & K. Railroad bed at Wilhurst, Breathitt County, Kentucky, extending thence northwardly practically with the old railroad bed to or near Helechawa, Wolfe County, Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robt. E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 720. An Act to be placed on the State Primary System of Roads and Highways, a road from Corbin, west to Somerset by way of Keevy and Rockcastle Springs, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is placed on the State Primary System of Roads and Highways a road from Corbin, west to Somerset, by way of Keevy and Rockcastle Springs, Kentucky.

Said project thus estabished as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky shall be known as project number ....., and to be known as the Robert Blair Highway, and shall be entitled to all the privileges, benefits and conditions now given by law or that may hereafter be given by law to the primary roads of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 721. An Act relating to roads and highways and describing and establishing the following project, to-wit: running from Savoy east to intersect with Gatliff Road near Verne, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There is hereby established as a part of the Primary System of Roads in this Commonwealth running from Savoy east to intersect with Gatliff Road near Verne, Kentucky.

This road thus established is to be designated as project number ....., and to be entitled to receive all benefits that are now in effect or may hereafter be in effect relating to roads and highways in this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 722. An Act relating to roads and highways and describing and establishing the following project, to-wit: running from Sutton's Mill Bridge east to Gatliff, by Nevisdale, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There is hereby established as a part of the Primary System of Roads in this Commonwealth, running from Sutton's Mill east to Gatliff by Nevisdale, Kentucky.

This road thus established is to be designated as project number ....., and to be known as the Grand Bunch Highway, and to be entitled to receive all benefits that are now in effect or may hereafter be in effect relating to roads and highways in this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Harold L. Barnes | B. F. Bedford |
| Levi Baker | Marshall Barnes | Wm. B. Belknap |

| | | |
|---|---|---|
| Reuben J. Boling | W. Yancey Handy | W. H. Miller |
| O. J. Bowen | Judson Harmon | James B. Milliken |
| Jas. C. Bright | Frank Harris | Tyler Munford |
| Corbett Brown | R. M. Harrison, Jr. | Rodes K. Myers |
| Wallace Brown | J. Joseph Hettinger | James I. Peters |
| Frank C. Bruton | Dr. A. L. Hill | Steve Pieratt |
| Hugh K. Bullitt | John R. Hobbs | Kleber F. Price |
| Mrs. Cecil Cantrill | G. W. Howard | G. M. Pritchett |
| J. A. Coleman | Ira W. Hulette | Waylon Rayburn |
| Sidney J. Collins | G. C. Johnson | W. P. Renfro |
| D. B. Coughlin | T. M. Johnson | L. D. Sandlin |
| Joel T. Crenshaw | J. H. King | Avery Sartin |
| Carroll L. Cropper | Leo King | Jos. W. Schneider |
| G. Cunningham | John Kirtley | Mrs. M. B. Scott |
| W. J. Curtis | W. L. Knuckles, Jr. | Harry Sparks |
| Harry Davis | Alden L. Love | Lafe J. Spencer |
| R. A. Demunbrun | M. T. McCarthy | Lyle C. Tackett |
| S. S. Dickson | C. C. McMasters | John W. Taylor |
| Garland Embry | Roy McWaters | Harry B. Thornton |
| Clarence E. Evans | C. C. May | J. Sterling Towles |
| Rudy Ferguson | J. S. Mattingly | Starling B. Tracy |
| J. B. Floyd | L. B. Meadors | Robert E. Webb |
| W. J. Garnett | G. Samuel Milam | J. B. Wicker |
| Ferd A. Gnau | Clarence Miller | B. M. Williams |
| J. S. Hall | H. H. Miller | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 724. An Act creating as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at Rochester in Butler County and running to the Logan County line at Graveltown.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there be and there is now established as a part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at Rochester in Butler County and running to the Logan County line at Graveltown.

§ 2. That the road established shall be entitled to receive all the benefits and conditions, rights and privileges of all laws of the Commonwealth of Kentucky now in force or hereafter enacted pertaining to the primary system of highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Wm. B. Belknap | Wallace Brown |
| Levi Baker | Reuben J. Boling | Frank C. Bruton |
| Harold L. Barnes | O. J. Bowen | Hugh K. Bullitt |
| Marshall Barnes | Jas. C. Bright | Mrs. Cecil Cantrill |
| B. F. Bedford | Corbett Brown | J. A. Coleman |

| | | |
|---|---|---|
| Sidney J. Collins | John R. Hobbs | Rodes K. Myers |
| D. B. Coughlin | G. W. Howard | James I. Peters |
| Joel T. Crenshaw | Ira W. Hulette | Steve Pieratt |
| Carroll L. Cropper | G. C. Johnson | Kleber F. Price |
| G. Cunningham | T. M. Johnson | G. M. Pritchett |
| W. J. Curtis | J. H. King | Waylon Rayburn |
| Harry Davis | Leo King | W. P. Renfro |
| R. A. Demunbrun | John Kirtley | L. D. Sandlin |
| S. S. Dickson | W. L. Knuckles, Jr. | Avery Sartin |
| Garland Embry | Alden L. Love | Jos. W. Schneider |
| Clarence E. Evans | M. T. McCarthy | Mrs. M. B. Scott |
| Rudy Ferguson | C. C. McMasters | Harry Sparks |
| J. B. Floyd | Roy McWaters | Lafe J. Spencer |
| W. J. Garnett | C. C. May | Lyle C. Tackett |
| Ferd A. Gnau | J. S. Mattingly | John W. Taylor |
| J. S. Hall | L. B. Meadors | Harry B. Thornton |
| W. Yancey Handy | G. Samuel Milam | J. Sterling Towles |
| Judson Harmon | Clarence Miller | Starling B. Tracy |
| Frank Harris | H. H. Miller | Robert E. Webb |
| R. M. Harrison, Jr. | W. H. Miller | J. B. Wicker |
| J. Joseph Hettinger | James B. Milliken | B. M. Williams |
| Dr. A. L. Hill | Tyler Munford | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 726. An Act relating to Roads and Highways; describing and establishing a project to be added to the State

Primary System of Roads, of the Commonwealth of Kentucky.

Said bill is as follows, viz.:

Therefore,

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there is hereby established as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky, the following project, to-wit:

A road running from the Bosworth Trail and leading up the left fork of Strait Creek be changed, beginning at the head of Left Fork of Strait Creek, said road to be so changed as to go up the right-hand prong of Left Fork, thence across the mountain at, or near, the point where the Bringardner Lumber Company Railroad crosses said mountain, thence down Red Bird so as to pass by the Red Bird Settlement School House, or Beverly, Kentucky, Post Office.

§ 2. All acts or parts of acts conflicting herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Marshall Barnes | Reuben J. Boling |
| Levi Baker | B. F. Bedford | O. J. Bowen |
| Harold L. Barnes | Wm. B. Belknap | Jas. C. Bright |

| | | |
|---|---|---|
| Corbett Brown | Frank Harris | James B. Milliken |
| Wallace Brown | R. M. Harrison, Jr. | Tyler Munford |
| Frank C. Bruton | J. Joseph Hettinger | Rodes K. Myers |
| Hugh K. Bullitt | Dr. A. L. Hill | James I. Peters |
| Mrs. Cecil Cantrill | John R. Hobbs | Steve Pieratt |
| J. A. Coleman | G. W. Howard | Kleber F. Price |
| Sidney J. Collins | Ira W. Hulette | G. M. Pritchett |
| D. B. Coughlin | G. C. Johnson | Waylon Rayburn |
| Joel T. Crenshaw | T. M. Johnson | W. P. Renfro |
| Carroll L. Cropper | J. H. King | L. D. Sandlin |
| G. Cunningham | Leo King | Avery Sartin |
| W. J. Curtis | John Kirtley | Jos. W. Schneider |
| Harry Davis | W. L. Knuckles, Jr. | Mrs. M. B. Scott |
| R. A. Demunbrun | Alden L. Love | Harry Sparks |
| S. S. Dickson | M. T. McCarthy | Lafe J. Spencer |
| Garland Embry | C. C. McMasters | Lyle C. Tackett |
| Clarence E. Evans | Roy McWaters | John W. Taylor |
| Rudy Ferguson | C. C. May | Harry B. Thornton |
| J. B. Floyd | J. S. Mattingly | J. Sterling Towles |
| W. J. Garnett | L. B. Meadors | Starling B. Tracy |
| Ferd A. Gnau | G. Samuel Milam | Robert E. Webb |
| J. S. Hall | Clarence Miller | J. B. Wicker |
| W. Yancey Handy | H. H. Miller | B. M. Williams |
| Judson Harmon | W. H. Miller | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 728. An Act relating to Roads and Highways; describing and establishing a project to be added to the State Primary System of Roads of the Commonwealth of Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there is hereby established as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky, the following project, to-wit:

A road, a part of the State Highway System, extending from Bailey's Switch, Kentucky, Route No. 25, and connecting with the London-Manchester Route at Providence, near Bush, Kentucky, be modified so as to go up Big Richland Creek, by way of Parrott's Farm, to the head of same, and through head of Horse Creek, to London and Manchester road at Rowland's Farm, which is by way of said change, the more direct and shorter route.

§ 2. All acts or parts of acts conflicting herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Marshall Barnes | Reuben J. Boling |
| Levi Baker | B. F. Bedford | O. J. Bowen |
| Harold L. Barnes | Wm. B. Belknap | Jas. C. Bright |

| | | |
|---|---|---|
| Corbett Brown | Frank Harris | James B. Milliken |
| Wallace Brown | R. M. Harrison, Jr. | Tyler Munford |
| Frank C. Bruton | J. Joseph Hettinger | Rodes K. Myers |
| Hugh K. Bullitt | Dr. A. L. Hill | James I. Peters |
| Mrs. Cecil Cantrill | John R. Hobbs | Steve Pieratt |
| J. A. Coleman | G. W. Howard | Kleber F. Price |
| Sidney J. Collins | Ira W. Hulette | G. M. Pritchett |
| D. B. Coughlin | G. C. Johnson | Waylon Rayburn |
| Joel T. Crenshaw | T. M. Johnson | W. P. Renfro |
| Carroll L. Cropper | J. H. King | L. D. Sandlin |
| G. Cunningham | Leo King | Avery Sartin |
| W. J. Curtis | John Kirtley | Jos. W. Schneider |
| Harry Davis | W. L. Knuckles, Jr. | Mrs. M. B. Scott |
| R. A. Demunbrun | Alden L. Love | Harry Sparks |
| S. S. Dickson | M. T. McCarthy | Lafe J. Spencer |
| Garland Embry | C. C. McMasters | Lyle C. Tackett |
| Clarence E. Evans | Roy McWaters | John W. Taylor |
| Rudy Ferguson | C. C. May | Harry B. Thornton |
| J. B. Floyd | J. S. Mattingly | J. Sterling Towles |
| W. J. Garnett | L. B. Meadors | Starling B. Tracy |
| Ferd A. Gnau | G. Samuel Milam | Robert E. Webb |
| J. S. Hall | Clarence Miller | J. B. Wicker |
| W. Yancey Handy | H. H. Miller | B. M. Williams |
| Judson Harmon | W. H. Miller | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 736. An Act creating and establishing as part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at a point at the mouth of Trace Fork of Licking river, Magoffin County, Kentucky, to a point on the Quicksand-Hindman Primary Road of the Kentucky system of highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at the mouth of Trace Fork of the Licking river in Magoffin County, Kentucky, and extending in a southern direction; up said Trace Fork of Licking river to its forks; thence up the right-hand fork of Trace Fork to the Breathitt County line; thence down the road fork up Spring fork of Quicksand fork to the mouth of Road Branch; thence up Road Branch to the middle fork of Quicksand to the Knott County line; thence down the Big Branch to the middle fork of Quicksand and down middle fork of Quicksand to the mouth of Laurel fork to a point intersecting with the Quicksand-Hindman primary road.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 746. An Act creating and establishing as a part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at the Daisey Gaston farm on the Rochester-Lewisburg road in Butler County and running to the Arnold Bridge on Mud River.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there be and there is now established as a part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at the Daisey Gaston farm on the Rochester-Lewisburg road in Butler County and running to the Arnold Bridge on Mud River.

§ 2. That the road established shall be entitled to receive all the benefits, conditions, and privileges of all laws now in force or which may hereafter be enacted pertaining to the primary system of highways of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 747. An Act to repeal, amend, and re-enact Chapter 303, of the Acts of 1926, pertaining to the establishment of a road as a part of the Primary System of Highways of Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Chapter 303, of the Acts of 1926, be and hereby are repealed, amended, and re-enacted so that when repealed, amended, and re-enacted said chapter shall read as follows:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Richardsville in Warren County and running across Green River to the Brownsville-Morgantown road at a point near the Mount Lebanon schoolhouse.

§ 2. That the road hereby established shall be entitled to receive all the benefits, conditions, and privileges of all laws now in force or which may hereafter be enacted pertaining to the highway system of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | |

—80

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 751. An Act to add to the primary system of highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1920, approved March 16, 1920, be amended by adding to and as a part of the primary system thereby created a road known as Project No. ....., beginning at a point in west edge of Dixie Bee Line Highway at Empire in the Northern portion of Christian County, Kentucky, and running thence westwardly to Castleberry Church in said county and continuing westwardly to a point in Hopkinsville and Dawson Highway near Lantrip's Schoolhouse in said county and state, a distance of about 7 miles, the same to be and become a part of the primary system of state highways, construction, maintenance, supervision and control thereof to be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of Kentucky of 1920, aforesaid.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robt. E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 756. An Act relating to roads, and establishing as part of the Primary System of Highways, a road leading from Wax in Grayson County, to the Broadford bridge, at the Grayson and Hart County line.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

There there is hereby established as part of the Primary System of the State Highways of the Commonwealth of Kentucky, a road beginning at Wax in Grayson County, and running from thence to the Broadford bridge, at the Grayson and Hart County line.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Wm. B. Belknap | Wallace Brown |
| Levi Baker | Reuben J. Boling | Frank C. Bruton |
| Harold L. Barnes | O. J. Bowen | Hugh K. Bullitt |
| Marshall Barnes | Jas. C. Bright | Mrs. Cecil Cantrill |
| B. F. Bedford | Corbett Brown | J. A. Coleman |

| | | |
|---|---|---|
| Sidney J. Collins | John R. Hobbs | Rodes K. Myers |
| D. B. Coughlin | G. W. Howard | James I. Peters |
| Joel T. Crenshaw | Ira W. Hulette | Steve Pieratt |
| Carroll L. Cropper | G. C. Johnson | Kleber F. Price |
| G. Cunningham | T. M. Johnson | G. M. Pritchett |
| W. J. Curtis | J. H. King | Waylon Rayburn |
| Harry Davis | Leo King | W. P. Renfro |
| R. A. Demunbrun | John Kirtley | L. D. Sandlin |
| S. S. Dickson | W. L. Knuckles, Jr. | Avery Sartin |
| Garland Embry | Alden L. Love | Jos. W. Schneider |
| Clarence E. Evans | M. T. McCarthy | Mrs. M. B. Scott |
| Rudy Ferguson | C. C. McMasters | Harry Sparks |
| J. B. Floyd | Roy McWaters | Lafe J. Spencer |
| W. J. Garnett | C. C. May | Lyle C. Tackett |
| Ferd A. Gnau | J. S. Mattingly | John W. Taylor |
| J. S. Hall | L. B. Meadors | Harry B. Thornton |
| W. Yancey Handy | G. Samuel Milam | J. Sterling Towles |
| Judson Harmon | Clarence Miller | Starling B. Tracy |
| Frank Harris | H. H. Miller | Robert E. Webb |
| R. M. Harrison, Jr. | W. H. Miller | J. B. Wicker |
| J. Joseph Hettinger | James B. Milliken | B. M. Williams |
| Dr. A. L. Hill | Tyler Munford | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 762. An Act relating to roads and highways and designating and establishing as a part of the Primary Sys-

tem of State Highways of the Commonwealth of Kentucky, a road beginning in the present State Highway at Duane, Perry County, Kentucky, and thence leading up Jake's Fork of Lotts Creek to Dwarf, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there is hereby designated and established as a part of the Primary System of the Commonwealth of Kentucky, a road beginning in the present State Highway at Duane, Perry County, Kentucky, and thence leading up Jake's Fork of Lotts Creek, following as nearly as practicable the present county road to the post office of Tribbey, Kentucky, continuing on to Hardyburly, Kentucky, thence crossing the ridge from Hardyburly, and intersecting the present State Highway as now established at or near Dwarf, Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Reuben J. Boling | Hugh K. Bullitt |
| Levi Baker | O. J. Bowen | Mrs. Cecil Cantrill |
| Harold L. Barnes | Jas. C. Bright | J. A. Coleman |
| Marshall Barnes | Corbett Brown | Sidney J. Collins |
| B. F. Bedford | Wallace Brown | D. B. Coughlin |
| Wm. B. Belknap | Frank C. Bruton | Joel T. Crenshaw |

| | | |
|---|---|---|
| Carroll L. Cropper | Ira W. Hulette | James I. Peters |
| G. Cunningham | G. C. Johnson | Steve Pieratt |
| W. J. Curtis | T. M. Johnson | Kleber F. Price |
| Harry Davis | J. H. King | G. M. Pritchett |
| R. A. Demunbrun | Leo King | Waylon Rayburn |
| S. S. Dickson | John Kirtley | W. P. Renfro |
| Garland Embry | W. L. Knuckles, Jr. | L. D. Sandlin |
| Clarence E. Evans | Alden L. Love | Avery Sartin |
| Rudy Ferguson | M. T. McCarthy | Jos. W. Schneider |
| J B. Floyd | C. C. McMasters | Mrs. M. B. Scott |
| W. J. Garnett | Roy McWaters | Harry Sparks |
| Ferd A. Gnau | C. C. May | Lafe J. Spencer |
| J. S. Hall | J. S. Mattingly | Lyle C. Tackett |
| W. Yancey Handy | L. B. Meadors | John W. Taylor |
| Judson Harmon | G. Samuel Milam | Harry B. Thornton |
| Frank Harris | Clarence Miller | J. Sterling Towles |
| R. M. Harrison, Jr. | H. H. Miller | Starling B. Tracy |
| J. Joseph Hettinger | W. H. Miller | Robt. E. Webb |
| Dr. A. L. Hill | James B. Milliken | J. B. Wicker |
| John R. Hobbs | Tyler Munford | B. M. Williams |
| G. W. Howard | Rodes K. Myers | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 764. An Act to establish as part of the Primary System of State Highways a road from Painesville, Meade

County, to Frymire, in Breckinridge County, via what is known as Dead Horse Hollow.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and it is now established as one of the primary road projects of the Commonwealth of Kentucky the following:

A road beginning at the village of Painesville, in Meade County, Kentucky, at a point on Highway No. ....., now established, and running thence the most practicable route through Dead Horse Hollow to the village of Frymire, in Breckinridge County, Kentucky.

Said project thus established as part of the primary roads of this Commonwealth shall be entitled to all the privileges, benefits and conditions now given by any Act or law to the primary roads of this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Wm. B. Belknap | Wallace Brown |
| Levi Baker | Reuben J. Boling | Frank C. Bruton |
| Harold L. Barnes | O. J. Bowen | Hugh K. Bullitt |
| Marshall Barnes | Jas. C. Bright | Mrs. Cecil Cantrill |
| B. F. Bedford | Corbett Brown | J. A. Coleman |

| | | |
|---|---|---|
| Sidney J. Collins | John R. Hobbs | Rodes K. Myers |
| D. B. Coughlin | G. W. Howard | James I. Peters |
| Joel T. Crenshaw | Ira W. Hulette | Steve Pieratt |
| Carroll L. Cropper | G. C. Johnson | Kleber F. Price |
| G. Cunningham | T. M. Johnson | G. M. Pritchett |
| W. J. Curtis | J. H. King | Waylon Rayburn |
| Harry Davis | Leo King | W. P. Renfro |
| R. A. Demunbrun | John Kirtley | L. D. Sandlin |
| S. S. Dickson | W. L. Knuckles, Jr. | Avery Sartin |
| Garland Embry | Alden L. Love | Jos. W. Schneider |
| Clarence E. Evans | M. T. McCarthy | Mrs. M. B. Scott |
| Rudy Ferguson | C. C. McMasters | Harry Sparks |
| J. B. Floyd | Roy McWaters | Lafe J. Spencer |
| W. J. Garnett | C. C. May | Lyle C. Tackett |
| Ferd A. Gnau | J. S. Mattingly | John W. Taylor |
| J. S. Hall | L. B. Meadors | Harry B. Thornton |
| W. Yancey Handy | G. Samuel Milam | J. Sterling Towles |
| Judson Harmon | Clarence Miller | Starling B. Tracy |
| Frank Harris | H. H. Miller | Robert E. Webb |
| R. M. Harrison, Jr. | W. H. Miller | J. B. Wicker |
| J. Joseph Hettinger | James B. Milliken | B. M. Williams |
| Dr. A. L. Hill | Tyler Munford | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 769. An Act establishing as a part of the primary

system of state highways of the Commonwealth of Kentucky, a road beginning at the Boyd and Carter County line at Rush, Ky., and running up Williams' Creek to the head thereof, and thence down Glancy Fork to Denton, Ky., and thence from Denton, Ky., to Hitchins, Ky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road beginning at the Boyd and Carter County line at Rush, Kentucky, on Williams' Creek, thence up Williams' Creek to the head thereof, and thence over and down Glancy Fork to Denton, Kentucky, and thence from Denton to Hitchins, Kentucky, so as to intersect with the state road there.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17, of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways to the same effect, as if said road had been named in the original act as one of the projects of the Primary System of State Highways provided herein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 777. An Act relating to Roads and Highways; describing and establishing a project to be added to the Primary System of Roads and Highways of the Commonwealth of Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road leading from a point on U. S. Highway No. 27 across the Southern Railroad at the old Blue White crossing, thence over the shortest and best route to the Oak Grove schoolhouse, thence to the Nancy Grave schoolhouse, thence to Fidelity Station, thence to Bell Farm postoffice, thence up Rock Creek to the Kentucky-Tennessee line.

§ 2. This road thus established to be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | W. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | H. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 778. An Act establishing as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky a road leading from a point on U. S. Highway No. 27 near J. C. Anderson's Store in Strunk, McCreary County, Kentucky, via the Everett Wood farm to a point near the E. P. Trammell farm.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road from a point on U. S. Highway No. 27 near J. C. Anderson's store to a point near the E. P. Trammell farm on the road from Bradley Kidd's farm to the Kentucky-Tennessee line, via the Everett Wood farm.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as if the said road had been named in said original act as one of the projects of the said primary system of state highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 779. An Act relating to Roads and Highways; describing and establishing a project to be added to the Primary System of Roads and Highways of the Commonwealth of Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road leading from a point in the Pine Knot-Williamsburg Highway near the John Davis farm, via Creekmore postoffice, Curtis Lee's home place, Upper Rock Creek schoolhouse, Lower Rock Creek schoolhouse near Jellico Creek, down Jellico Creek to the Bill Webb farm, leaving Jellico Creek and going up Capachine Creek and intersecting the highway coming west at Hiram Baird's farm.

§ 2. This road thus established to be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect relating to the primary system of roads and highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robt. E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 780. An Act establishing as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky, a road leading from the Pine Knot–Williamsburg Highway near Bradley Kidd's farm to the Kentucky-Tennessee line near Pleasant Grove.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road leading from a point in the Pine Knot–Williamsburg Highway near the Bradley Kidd farm to a point on the Kentucky-Tennessee line near Pleasant Grove, via the H. T. Stephens, E. P. Trammell and Dock Strunk farms.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as if the said road had been named in said original act as one of the projects of the said primary system of state highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 783. An Act creating and establishing as part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at or near Salt River Bridge in Mercer County on U. S. Highway No. 168 and running thence to the Boyle County line.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at or near Salt River Bridge in Mercer County on U. S. Highway No. 168 and running thence to the Boyle County line.

The road now established as part of the Primary System of Highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission and shall be entitled to all the rights, privileges, benefits and conditions of all of the laws in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 784. An Act creating and establishing as part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at Long Lick on State Highway No. 152, thence to Fitt's Tollgate in Washington County by way of Raybourne's Farm.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at Long Lick on State Highway No. 152, thence to Fitt's Tollgate in Washington County, by way of Raybourne's Farm.

The road now established as part of the Primary System of Highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robt. E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 785. An Act creating and establishing as part of the Primary System of Highways of the Commonweath of Kentucky a road beginning at a point near Clark's Farm in Washington County and running to Lincoln Home in Washington County, by way of Litsey.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at a point near Clark's Farm in Washington County and running to Lincoln Home in Washington County, by way of Litsey.

The road now established as part of the Primary System of Highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission and shall be entitled to all the rights, privileges, benefits and conditions of all of the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 786. An Act creating and establishing as part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at Thompsonsville and running to a point at Kelley's Shop in Washington County.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at Thompsonsville in Washington County and running to a point at Kelley's Shop in Washington County.

The road now established as part of the Primary System of Highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission and shall be entitled to all rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 787. An Act relating to Roads and Highways; describing and establishing a project to be added to the State Primary System of Roads of the Commonwealth of Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there is hereby established as a part of the Primary Road System of the Commonwealth of Kentucky a road leading from West Somerset thru Ringgold, Mintonville to the Liberty-Jamestown Primary Road.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | O. J. Bowen | J. A. Coleman |
| Levi Baker | Jas. C. Bright | Sidney J. Collins |
| Harold L. Barnes | Corbett Brown | D. B. Coughlin |
| Marshall Barnes | Wallace Brown | Joel T. Crenshaw |
| B. F. Bedford | Frank C. Bruton | Carroll L. Cropper |
| Wm. B. Belknap | Hugh K. Bullitt | G. Cunningham |
| Reuben J. Boling | Mrs. Cecil Cantrill | W. J. Curtis |

| | | |
|---|---|---|
| Harry Davis | T. M. Johnson | Steve Pieratt |
| R. A. Demunbrun | J. H. King | Kleber F. Price |
| S. S. Dickson | Leo King | G. M. Pritchett |
| Garland Embry | John Kirtley | Waylon Rayburn |
| Clarence E. Evans | W. L. Knuckles, Jr. | W. P. Renfro |
| Rudy Ferguson | Alden L. Love | L. D. Sandlin |
| J. B. Floyd | M. T. McCarthy | Avery Sartin |
| W. J. Garnett | C. C. McMasters | Jos. W. Schneider |
| Ferd A. Gnau | Roy McWaters | Mrs. M. B. Scott |
| J. S. Hall | C. C. May | Harry Sparks |
| W. Yancey Handy | J. S. Mattingly | Lafe J. Spencer |
| Judson Harmon | L. B. Meadors | Lyle C. Tackett |
| Frank Harris | G. Samuel Milam | John W. Taylor |
| R. M. Harrison, Jr. | Clarence Miller | Harry B. Thornton |
| J. Joseph Hettinger | H. H. Miller | J. Sterling Towles |
| Dr. A. L. Hill | W. H. Miller | Starling B. Tracy |
| John R. Hobbs | James B. Milliken | Robert E. Webb |
| G. W. Howard | Tyler Munford | J. B. Wicker |
| Ira W. Hulette | Rodes K. Myers | B. M. Williams |
| G. C. Johnson | James I. Peters | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 790. An Act creating and establishing as part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at or near Ray Powell's barn on

U. S. No. 60, one mile south of Corydon and running in a southerly direction over and along the present road known as the House Bridge road to Highland Creek, the dividing line between Henderson and Union County.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there is now established as part of the Primary System of Highways of the Commonweath of Kentucky a road in Henderson County, beginning at or near Ray Powell's barn on U. S. No. 60, one mile south of Corydon and running in a southerly direction over and along the preesent road known as the House Bridge Road to Highland Creek, the dividing line between Henderson and Union County, and said road shall be known as Project No. .....

That the road now established as part of the Primary System of Highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Harold L. Barnes | B. F. Bedford |
| Levi Baker | Marshall Barnes | Wm. B. Belknap |

| | | |
|---|---|---|
| Reuben J. Boling | W. Yancey Handy | W. H. Miller |
| O. J. Bowen | Judson Harmon | James B. Milliken |
| Jas. C. Bright | Frank Harris | Tyler Munford |
| Corbett Brown | R. M. Harrison, Jr. | Rodes K. Myers |
| Wallace Brown | J. Joseph Hettinger | James I. Peters |
| Frank C. Bruton | Dr. A. L. Hill | Steve Pieratt |
| Hugh K. Bullitt | John R. Hobbs | Kleber F. Price |
| Mrs. Cecil Cantrill | G. W. Howard | G. M. Pritchett |
| J. A. Coleman | Ira W. Hulette | Waylon Rayburn |
| Sidney J. Collins | G. C. Johnson | W. P. Renfro |
| D. B. Coughlin | T. M. Johnson | L. D. Sandlin |
| Joel T. Crenshaw | J. H. King | Avery Sartin |
| Carroll L. Cropper | Leo King | Jos. W. Schneider |
| G. Cunningham | John Kirtley | Mrs. M. B. Scott |
| W. J. Curtis | W. L. Knuckles, Jr. | Harry Sparks |
| Harry Davis | Alden L. Love | Lafe J. Spencer |
| R. A. Demunbrun | M. T. McCarthy | Lyle C. Tackett |
| S. S. Dickson | C. C. McMasters | John W. Taylor |
| Garland Embry | Roy McWaters | Harry B. Thornton |
| Clarence E. Evans | C. C. May | J. Sterling Towles |
| Rudy Ferguson | J. S. Mattingly | Starling B. Tracy |
| J. B. Floyd | L. B. Meadors | Robert E. Webb |
| W. J. Garnett | G. Samuel Milam | J. B. Wicker |
| Ferd A. Gnau | Clarence Miller | B. M. Williams |
| J. S. Hall | H. H. Miller | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 807. An Act creating and establishing as part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning on the State highway, running from Island to Semiway near Bates Bridge by way of George McMana farm, crossing Cyprus Creek, and thence by way of Baggett Ridge and terminating on Highway Number 81, somewhere between Sacramento and South Carrollton.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and now is established as part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning on the State highway, running from Island to Semiway near Bates Bridge by way of George McMana farm, crossing Cyprus Creek, and thence by way of Baggett Ridge and terminating on Highway Number 81, somewhere between Sacramento and South Carrollton.

A road now established as a part of the Primary System of Highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the Primary Road System.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 809. An Act relating to roads and highways, and designating and establishing as a part of the Primary System of Highways of the Commonwealth of Kentucky and as a part of the project leading from Beattyville, Lee County, Kentucky, to Jackson, Breathitt County, Kentucky, a road beginning in the present State highway near the mouth of Dunnigan's branch; thence via Long Shoal schoolhouse to the State highway as now established about one-fourth mile west of Tellega depot.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there is hereby designated and established as a part of the Primary System of the State Highways of the Commonwealth of Kentucky and as a part of the project leading from Beattyville, Lee County, Kentucky, to Jackson, Breathitt County, Kentucky, a road beginning in the present State highway near the mouth of Dunnigan's branch; thence via Long Shoal schoolhouse to the State highway as now established about one-fourth mile west of Tellega depot.

Said project thus established to be part of the primary system of roads and highways, and to be entitled to all the benefits and subject to all the laws hereafter or now in force in relation to same.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 811. An Act creating and establishing as a part of the Primary System of Highways of the Commonwealth of Kenucky, a road to start intersection with Highway No. 25E, at mouth of Parrots branch of Big Richland Creek and traverse Parrots branch to low gap between said branch and Long Branch, then with waters at Long Branch to intersect with Manchester highway at Cannon, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as part of the Primary System of Highways of the Commonwealth of Kentucky a road to start intersection with Highway No. 25E at mouth of Parrots Branch of Big Richland creek and traverse Parrots Branch to low gap between said branch and Long Branch, then with waters of Long Branch to intersect with Manchester highway at Cannon, Kentucky.

That the road now established as part of the Primary System of Highways of the Commonwealth of Kentucky shall be entitled to all the rights, privileges, benefits, and condi-

tions of all the laws now in force or which may hereafter be enacted affecting the primary system of roads.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | S. S. Dickson | Alden L. Love |
| Levi Baker | Garland Embry | M. T. McCarthy |
| Harold L. Barnes | Clarence E. Evans | C. C. McMasters |
| Marshall Barnes | Rudy Ferguson | Roy McWaters |
| B. F. Bedford | J. B. Floyd | J. S. Mattingly |
| Wm. B. Belknap | W. J. Garnett | C. C. May |
| Reuben J. Boling | Ferd A. Gnau | L. B. Meadors |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Judson Harmon | H. H. Miller |
| Wallace Brown | Frank Harris | W. H. Miller |
| Frank C. Bruton | R. M. Harrison, Jr. | James B. Milliken |
| Hugh K. Bullitt | J. Joseph Hettinger | Tyler Munford |
| Mrs. Cecil Cantrill | Dr. A. L. Hill | Rodes K. Myers |
| J. A. Coleman | John R. Hobbs | James I. Peters |
| Sidney J. Collins | G. W. Howard | Steve Pieratt |
| D. B. Coughlin | Ira W. Hulette | Kleber F. Price |
| Joel T. Crenshaw | G. C. Johnson | G. M. Pritchett |
| Carroll L. Cropper | T. M. Johnson | Waylon Rayburn |
| G. Cunningham | J. H. King | W. P. Renfro |
| W. J. Curtis | Leo King | L. D. Sandlin |
| Harry Davis | John Kirtley | Avery Sartin |
| R. A. Demunbrun | W. L. Knuckles, Jr. | Jos. W. Schneider |

| | | |
|---|---|---|
| Mrs. M. B. Scott | John W. Taylor | Robert E. Webb |
| Harry Sparks | Harry B. Thornton | J. B. Wicker |
| Lafe J. Spencer | J. Sterling Towles | B. M. Williams |
| Lyle C. Tackett | Starling B. Tracy | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 815. An Act to establish as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road from a point in U. S. Highway No. 27 at Marshes Siding to a point in the Monticello–Whitley City Highway Project No. 22-B.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road beginning at a point on U. S. Highway No. 27 near the old W. P. Upchurch home in Marshes Siding, McCreary County, Kentucky, and running in a westerly direction via the mouth of Alum creek, Benny Whitehead's farm, the Cowhorn, Foster and Slavans schools, thence over the shortest and best route to a point in the Monticello–Whitley City Highway Project No. 22-B.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | W. J. Curtis | G. C. Johnson |
| Levi Baker | Harry Davis | T. M. Johnson |
| Harold L. Barnes | R. A. Demunbrun | J. H. King |
| Marshall Barnes | S. S. Dickson | Leo King |
| B. F. Bedford | Garland Embry | John Kirtley |
| Wm. B. Belknap | Clarence E. Evans | W. L. Knuckles, Jr. |
| Reuben J. Boling | Rudy Ferguson | Alden L. Love |
| O. J. Bowen | J. B. Floyd | M. T. McCarthy |
| Jas. C. Bright | W. J. Garnett | C. C. McMasters |
| Corbett Brown | Ferd A. Gnau | Roy McWaters |
| Wallace Brown | J. S. Hall | C. C. May |
| Frank C. Bruton | W. Yancey Handy | J. S. Mattingly |
| Hugh K. Bullitt | Judson Harmon | L. B. Meadors |
| Mrs. Cecil Cantrill | Frank Harris | G. Samuel Milam |
| J. A. Coleman | R. M. Harrison, Jr. | Clarence Miller |
| Sidney J. Collins | J. Joseph Hettinger | H. H. Miller |
| D. B. Coughlin | Dr. A. L. Hill | W. H. Miller |
| Joel T. Crenshaw | John R. Hobbs | James B. Milliken |
| Carroll L. Cropper | G. W. Howard | Tyler Munford |
| G. Cunningham | Ira W. Hulette | Rodes K. Myers |

| | | |
|---|---|---|
| James I. Peters | Avery Sartin | Harry B. Thornton |
| Steve Pieratt | Jos. W. Schneider | J. Sterling Towles |
| Kleber F. Price | Mrs. M. B. Scott | Starling B. Tracy |
| G. M. Pritchett | Harry Sparks | Robert E. Webb |
| Waylon Rayburn | Lafe J. Spencer | B. M. Williams |
| W. P. Renfro | Lyle C. Tackett | J. B. Wicker |
| L. D. Sandlin | John W. Taylor | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 816. An Act creating and establishing as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky, a road beginning at a point in Glasgow Junction and running to a point in the Glasgow–Bowling Green road at Bon Ayr.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky, a road beginning at a point in Glasgow Junction and runing to a point in the Glasgow-Bowling Green road at Bon Ayr.

The said road thus established shall be known as Project No. ....., and shall be entitled to all privileges, benefits and conditions now given by law, or that may hereafter be given by law, to the primary system of roads and highways of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | W. J. Curtis | G. C. Johnson |
| Levi Baker | Harry Davis | T. M. Johnson |
| Harold L. Barnes | R. A. Demunbrun | J. H. King |
| Marshall Barnes | S. S. Dickson | Leo King |
| B. F. Bedford | Garland Embry | John Kirtley |
| Wm. B. Belknap | Clarence E. Evans | W. L. Knuckles, Jr. |
| Reuben J. Boling | Rudy Ferguson | Alden L. Love |
| O. J. Bowen | J. B. Floyd | M. T. McCarthy |
| Jas. C. Bright | W. J. Garnett | C. C. McMasters |
| Corbett Brown | Ferd A. Gnau | Roy McWaters |
| Wallace Brown | J. S. Hall | J. S. Mattingly |
| Frank C. Bruton | W. Yancey Handy | C. C. May |
| Hugh K. Bullitt | Judson Harmon | L. B. Meadors |
| Mrs. Cecil Cantrill | Frank Harris | G. Samuel Milam |
| J. A. Coleman | R. M. Harrison, Jr. | Clarence Miller |
| Sidney J. Collins | J. Joseph Hettinger | H. H. Miller |
| D. B. Coughlin | Dr. A. L. Hill | W. H. Miller |
| Joel T. Crenshaw | John R. Hobbs | James B. Milliken |
| Carroll L. Cropper | G. W. Howard | Tyler Munford |
| G. Cunningham | Ira W. Hulette | Rodes K. Myers |

| | | |
|---|---|---|
| James I. Peters | Avery Sartin | Harry B. Thornton |
| Steve Pieratt | Jos. W. Schneider | J. Sterling Towles |
| Kleber F. Price | Mrs. M. B. Scott | Starling B. Tracy |
| G. M. Pritchett | Harry Sparks | Robert E. Webb |
| Waylon Rayburn | Lafe J. Spencer | J. B. Wicker |
| W. P. Renfro | Lyle C. Tackett | B. M. Williams |
| L. D. Sandlin | John W. Taylor | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 817. An Act creating and estabishing as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at Logan's Cross Roads in Barren County, Kentucky, extending to a road that runs from Glasgow to Burkesville, near Falling Timber Ridge.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at Logan's Cross Roads to extend to the Burkesville Road in Barren County, Kentucky, the distance being approximately six (6) miles, and it is further enacted and ordered that this road, to be known as Project

No. ....., shall be built subject to the regulations of the laws, statutes and provisions of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | S. S. Dickson | Alden L. Love |
| Levi Baker | Garland Embry | M. T. McCarthy |
| Harold L. Barnes | Clarence E. Evans | C. C. McMasters |
| Marshall Barnes | Rudy Ferguson | Roy McWaters |
| B. F. Bedford | J. B. Floyd | J. S. Mattingly |
| Wm. B. Belknap | W. J. Garnett | C. C. May |
| Reuben J. Boling | Ferd A. Gnau | L. B. Meadors |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Judson Harmon | H. H. Miller |
| Wallace Brown | Frank Harris | W. H. Miller |
| Frank C. Bruton | R. M. Harrison, Jr. | James B. Milliken |
| Hugh K. Bullitt | J. Joseph Hettinger | Tyler Munford |
| Mrs. Cecil Cantrill | Dr. A. L. Hill | Rodes K. Myers |
| J. A. Coleman | John R. Hobbs | James I. Peters |
| Sidney J. Collins | G. W. Howard | Steve Pieratt |
| D. B. Coughlin | Ira W. Hulette | Kleber F. Price |
| Joel T. Crenshaw | G. C. Johnson | G. M. Pritchett |
| Carroll L. Cropper | T. M. Johnson | Waylon Rayburn |
| G. Cunningham | J. H. King | W. P. Renfro |
| W. J. Curtis | Leo King | L. D. Sandlin |
| Harry Davis | John Kirtley | Avery Sartin |
| R. A. Demunbrun | W. L. Knuckles, Jr. | Jos. W. Schneider |

| | | |
|---|---|---|
| Mrs. M. B. Scott | John W. Taylor | Robert E. Webb |
| Harry Sparks | Harry B. Thornton | J. B. Wicker |
| Lafe J. Spencer | J. Sterling Towles | B. M. Williams |
| Lyle C. Tackett | Starling B. Tracy | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 818. An Act creating and establishing as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky a road beginning at a point at or near Glasgow Junction and going by way of Milligan Bridge and running to the Glasgow-Bowling Green road to a point at or near Beaver Creek Bridge.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky a road beginning at a point at or near Glasgow Junction and going by way of Milligan Bridge and running to the Glasgow–Bowling Green road to a point at or near Beaver Creek Bridge.

The said road thus established shall be known as Project No. ....., and shall be entitled to all privileges, benefits and conditions now given by law or that may hereafter be given by law, to the primary system of roads and highways of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | W. J. Curtis | G. C. Johnson |
| Levi Baker | Harry Davis | T. M. Johnson |
| Harold L. Barnes | R. A. Demunbrun | J. H. King |
| Marshall Barnes | S. S. Dickson | Leo King |
| B. F. Bedford | Garland Embry | John Kirtley |
| Wm. B. Belknap | Clarence E. Evans | W. L. Knuckles, Jr. |
| Reuben J. Boling | Rudy Ferguson | Alden L. Love |
| O. J. Bowen | J. B. Floyd | M. T. McCarthy |
| Jas. C. Bright | W. J. Garnett | C. C. McMasters |
| Corbett Brown | Ferd A. Gnau | Roy McWaters |
| Wallace Brown | J. S. Hall | J. S. Mattingly |
| Frank C. Bruton | W. Yancey Handy | C. C. May |
| Hugh K. Bullitt | Judson Harmon | L. B. Meadors |
| Mrs. Cecil Cantrill | Frank Harris | G. Samuel Milam |
| J. A. Coleman | R. M. Harrison, Jr. | Clarence Miller |
| Sidney J. Collins | J. Joseph Hettinger | H. H. Miller |
| D. B. Coughlin | Dr. A. L. Hill | W. H. Miller |
| Joel T. Crenshaw | John R. Hobbs | James B. Milliken |
| Carroll L. Cropper | G. W. Howard | Tyler Munford |
| G. Cunningham | Ira W. Hulette | Rodes K. Myers |

| | | |
|---|---|---|
| James I. Peters | Avery Sartin | Harry B. Thornton |
| Steve Pieratt | Jos. W. Schneider | J. Sterling Towles |
| Kleber F. Price | Mrs. M. B. Scott | Starling B. Tracy |
| G. M. Pritchett | Harry Sparks | Robert E. Webb |
| Waylon Rayburn | Lafe J. Spencer | J. B. Wicker |
| W. P. Renfro | Lyle C. Tackett | B. M. Williams |
| L. D. Sandlin | John W. Taylor | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 819. An Act creating and establishing as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at the Glasgow-Tompkinsville road, near Mt. Hermon, and running west by Etiol to the Glasgow–Dry Fork road.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at the Glasgow-Tompkinsville road, near Mt. Hermon, and running west by Etiol to the Glasgow–Dry Fork road.

The said road so established shall be entitled to all privileges, benefits and conditions now given by any act or law, or that may hereafter be given, to the primary system of highways of the Commonwealth of Kentucky. This road shall be known and designated as Project No. .....

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | W. J. Curtis | G. C. Johnson |
| Levi Baker | Harry Davis | T. M. Johnson |
| Harold L. Barnes | R. A. Demunbrun | J. H. King |
| Marshall Barnes | S. S. Dickson | Leo King |
| B. F. Bedford | Garland Embry | John Kirtley |
| Wm. B. Belknap | Clarence E. Evans | W. L. Knuckles, Jr. |
| Reuben J. Boling | Rudy Ferguson | Alden L. Love |
| O. J. Bowen | J. B. Floyd | M. T. McCarthy |
| Jas. C. Bright | W. J. Garnett | C. C. McMasters |
| Corbett Brown | Ferd A. Gnau | Roy McWaters |
| Wallace Brown | J. S. Hall | C. C. May |
| Frank C. Bruton | W. Yancey Handy | J. S. Mattingly |
| Hugh K. Bullitt | Judson Harmon | L. B. Meadors |
| Mrs. Cecil Cantrill | Frank Harris | G. Samuel Milam |
| J. A. Coleman | R. M. Harrison, Jr. | Clarence Miller |
| Sidney J. Collins | J. Joseph Hettinger | H. H. Miller |
| D. B. Coughlin | Dr. A. L. Hill | W. H. Miller |
| Joel T. Crenshaw | John R. Hobbs | James B. Milliken |
| Carroll L. Cropper | G. W. Howard | Tyler Munford |
| G. Cunningham | Ira W. Hulette | Rodes K. Myers |

| | | |
|---|---|---|
| James I. Peters | Avery Sartin | Harry B. Thornton |
| Steve Pieratt | Jos. W. Schneider | J. Sterling Towles |
| Kleber F. Price | Mrs. M. B. Scott | Starling B. Tracy |
| G. M. Pritchett | Harry Sparks | Robert E. Webb |
| Waylon Rayburn | Lafe J. Spencer | J. B. Wicker |
| W. P. Renfro | Lyle C. Tackett | B. M. Williams |
| L. D. Sandlin | John W. Taylor | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 820. An Act creating and establishing as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky a road beginning at Hiseville, Kentucky, and running by way of Coral Hill to a point in the Jackson Highway at Foster's Store.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky a road beginning at Hiseville, Kentucky, and running by way of Coral Hill to a point in the Jackson Highway at Foster's Store.

The said road thus established shall be known as Project No. ....., and shall be entitled to all privileges, benefits and conditions now given by law, or that may hereafter be given by law, to the primary system of roads and highways of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | W. J. Curtis | G. C. Johnson |
| Levi Baker | Harry Davis | T. M. Johnson |
| Harold L. Barnes | R. A. Demunbrun | J. H. King |
| Marshall Barnes | S. S. Dickson | Leo King |
| B. F. Bedford | Garland Embry | John Kirtley |
| Wm. B. Belknap | Clarence E. Evans | W. L. Knuckles, Jr. |
| Reuben J. Boling | Rudy Ferguson | Alden L. Love |
| O. J. Bowen | J. B. Floyd | M. T. McCarthy |
| Jas. C. Bright | W. J. Garnett | C. C. McMasters |
| Corbett Brown | Ferd A. Gnau | Roy McWaters |
| Wallace Brown | J. S. Hall | C. C. May |
| Frank C. Bruton | W. Yancey Handy | J. S. Mattingly |
| Hugh K. Bullitt | Judson Harmon | L. B. Meadors |
| Mrs. Cecil Cantrill | Frank Harris | G. Samuel Milam |
| J. A. Coleman | R. M. Harrison, Jr. | Clarence Miller |
| Sidney J. Collins | J. Joseph Hettinger | H. H. Miller |
| D. B. Coughlin | Dr. A. L. Hill | W. H. Miller |
| Joel T. Crenshaw | John R. Hobbs | James B. Milliken |
| Carroll L. Cropper | G. W. Howard | Tyler Munford |
| G. Cunningham | Ira W. Hulette | Rodes K. Myers |

| | | |
|---|---|---|
| James I. Peters | Avery Sartin | Harry B. Thornton |
| Steve Pieratt | Jos. W. Schneider | J. Sterling Towles |
| Kleber F. Price | Mrs. M. B. Scott | Starling B. Tracy |
| G. M. Pritchett | Harry Sparks | Robert E. Webb |
| Waylon Rayburn | Lafe J. Spencer | J. B. Wicker |
| W. P. Renfro | Lyle C. Tackett | B. M. Williams |
| L. D. Sandlin | John W. Taylor | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 821. An Act to establish as a part of the Primary System of State Highways a road from Rock Quarry to Frogue Post Office in Cumberland County.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following: A road beginning at Rock Quarry on the Burkesville-Albany Highway No. 90, to Frogue Post Office, running by way of Modoc and Hegira, in Cumberland County.

§ 2. Said project thus established as a part of the Primary Roads of this Commonwealth shall be entitled to all the

privileges, benefits and conditions now given by any act or law to the primary roads of this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | S. S. Dickson | Alden L. Love |
| Levi Baker | Garland Embry | M. T. McCarthy |
| Harold L. Barnes | Clarence E. Evans | C. C. McMasters |
| Marshall Barnes | Rudy Ferguson | Roy McWaters |
| B. F. Bedford | J. B. Floyd | C. C. May |
| Wm. B. Belknap | W. J. Garnett | J. S. Mattingly |
| Reuben J. Boling | Ferd A. Gnau | L. B. Meadors |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Judson Harmon | H. H. Miller |
| Wallace Brown | Frank Harris | W. H. Miller |
| Frank C. Bruton | R. M. Harrison, Jr. | James B. Milliken |
| Hugh K. Bullitt | J. Joseph Hettinger | Tyler Munford |
| Mrs. Cecil Cantrill | Dr. A. L. Hill | Rodes K. Myers |
| J. A. Coleman | John R. Hobbs | James I. Peters |
| Sidney J. Collins | G. W. Howard | Steve Pieratt |
| D. B. Coughlin | Ira W. Hulette | Kleber F. Price |
| Joel T. Crenshaw | G. C. Johnson | G. M. Pritchett |
| Carroll L. Cropper | T. M. Johnson | Waylon Rayburn |
| G. Cunningham | J. H. King | W. P. Renfro |
| W. J. Curtis | Leo King | L. D. Sandlin |
| Harry Davis | John Kirtley | Avery Sartin |
| R. A. Demunbrun | W. L. Knuckles, Jr. | Jos. W. Schneider |

| | | |
|---|---|---|
| Mrs. M. B. Scott | John W. Taylor | Robert E. Webb |
| Harry Sparks | Harry B. Thornton | J. B. Wicker |
| Lafe J. Spencer | J. Sterling Towles | B. M. Williams |
| Lyle C. Tackett | Starling B. Tracy | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 822. An Act relating to roads and highways and describing and fixing a project to be added to the Primary System of Roads and Highways in the Commonwealth of Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be, and is hereby established as a part of the Primary System of Roads and Highways in this Commonwealth the following route, to-wit:

A road in Campbell County approximately one mile in length, beginning at a point on State Highway Number 10, near the Flag Springs Church and running to the River Road.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robt. E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 825. An Act relating to roads and highways and describing and fixing a project to be added to the Primary System of Roads and Highways in the Commonwealth of Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be, and is hereby established as a part of the Primary System of Highways in this Commonwealth, the following route, to-wit:

Beginning at or near the south end of Main Street of Irvine, Kentucky, in Estill County, Kentucky, and running thence in a southernly or southwesternly direction to Wisemantown, Estill County, Kentucky, thence through Wagersville, Estill County, Kentucky, to McKee, Jackson County, Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 827. An Act to establish as a part of the Primary System of State Highways, a road from Dixon, Kentucky to Cay, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following: A road beginning at Dixon, Kentucky, running to Clay, Kentucky, via Free Union, starting at the Morganfield-Madisonville road at a point near G. B. Curlee's place, via Shelton's store to intersect the Boxville and Sullivan road at a point about a mile beyond Persimmonville.

§ 2. Said project thus established as a part of the Primary Roads of this Commonwealth shall be entitled to all the privileges, benefits and conditions now given by any act or law to the primary roads of this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 836. An Act to add to the Primary System of Public Roads. The road leading from a point in the old Dixie Bee Line road about three miles east of Guthrie, Todd County, at or near the Tennessee State Line, thence in an easterly direction passing the farm of H. E. Wilson and J. T. Mathers, a distance of about one and one-half miles, to the Tennessee Line, known as the Newton Mill Road.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 4356T-5 of Article 2, Chapter 110 of Kentucky Statutes, 1922 Edition, relating to public roads, be amended by adding and inserting the following project number ..... Beginning at a point in the old Dixie Bee Line road about three miles east of Guthrie, Todd County, at or near the Tennessee State Line, and continuing thence in an easterly direction passing the farm of H. E. Wilson and J. T. Mathers, a distance of about one and one-half miles to the Tennessee Line, known as the Newton Mill road.

This route when established to be designated as project number ....., and to be entitled to and receive all the benefits relating to the Primary System of Roads and Highways. The State Highway Commission will have said route surveyed and located.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 837. An Act to add to the Primary System of Public Roads. The road leading from Allensville in Todd County, in a southerly direction to the Tennessee State Line, a distance of about six miles, known as the old Watermelon Road.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 4356T-5 of Article 2, Chapter 110 of Kentucky Statutes, 1922 Edition, relating to public roads, be amended by adding and inserting the following project number ..... Beginning at Allensville, Todd County, running south a distance of about a mile and a quarter, thence east about three-quarters of a mile, thence south about three and one-half miles, crossing the Hopkinsville and Gallatin road at a point near Overby's farm, thence continuing in a southerly direction passing the farm of Charlie Bailey, a distance of about one mile to the Tennessee Line.

This route when established to be designated as project number ....., and to be entitled to and receive all the benefits relating to the Primary System of Roads and Highways. The State Highway Commission will have said route surveyed and located.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 839. An Act relating to roads and highways, and establishing and describing a project to be added to the State Primary System of Roads and Highways, running from Jellico Creek Church, east up the creek by Sheelys to State line.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

There is hereby established as a part of the Primary System of the Highways of this Commonwealth as created in Chapter 17 and of the Acts of the General Assembly of 1920 and amended by session acts of 1922, 1924, 1926 and 1928, the following project, to-wit:

§ 1. This road thus established to be designated as Project No. ....., and to be known as the Shelly Highway in honor of the Shelly boys, and to be entitled to and receive all benefits of such laws as are now or may be hereinafter in effect relating to the primary system of highways in this Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | F'erd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 840. An Act relating to roads and highways, and describing and establishing a project to be added to the state primary system of roads and highways, running from Lot, Ky., Underpass, east up Mudd Creek to Laurel Fork to intersect with road running from the Middlesboro road to Buffalo Creek, state line.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. There is hereby established as a part of the primary system of the highways in this Commonwealth as created by Chapter 17, of the Acts of the General Assembly of 1920 and amended by sessions acts of 1922, 1924, 1926 and 1928 the following project: This road thus established is to be designated as Project No. ....., and to be known as the Rev. George Hamlin highway, and to be entitled to and receive all benefits of such laws as are now in effect or may hereinafter be in this Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 841. An Act relating to roads and highways, and describing and establishing a project to be added to the state primary system of roads and highways in this Commonwealth running from Saxton Bridge, west by Squire Perkins' to Jellico, Ky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

There is hereby established as a part of the primary system of highways in this Commonwealth as created by Chapter 17, of the act of the General Assembly of 1920 and amended by sessions acts of 1922, 1924, 1926 and 1928, the following project, to-wit:

Running from Saxton Bridge, west by Squire Perkins' to Jellico, Kentucky, this road thus established is to be designated as Project No. ....., and to be known as the Wm. Penkins' Highway, and to be entitled to all such laws as are now in effect relating to roads in the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 842. An Act relating to roads and highways and describing and establishing a project to be added to the state primary system of roads and highways, running from Louden Bridge, east to Dishman Springs Church.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

There is hereby established as a part of the primary system of the highways in this Commonwealth, as created by Chapter 17, and amended by sessions acts 1922, 1924, 1926 and 1928, the following project:

This road thus established to be designated as Project No. ....., and to be known as the Joe Lawson Highway, and to be entitled to and receive any benefits of such laws as are now or may be hereinafter relating to highways in this Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | J. S. Mattingly | Robert E. Webb |
| Garland Embry | C. C. May | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 856. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Cedar Graveyard in Logan County and running to a point known as Johnson's Old Stand on the Morgantown-Russellville road in Butler County.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That there be and there now is established as a part of primary system of highways of Kentucky a road beginning at Cedar Graveyard in Logan County and running to a point known as Johnson's Old Stand on the Morgantown–Russellville road in Butler County.

§ 2. That the road hereby established shall be entitled to receive all the benefits, conditions, rights and privileges of all laws now in effect and which may hereafter be enacted pertaining to the system of highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 858. An Act establishing a road as part of the State Primary System of Highways from the State Highway No. 90 to Mudcamp and intersecting with Tompkinsville road.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

There is hereby established as a part of the State Primary System of Highways a road beginning at State Highway No. 90 near the residence of Herbert Sartin, Waterview, Ky., and then by the residences of W. E. Davis and Ed Garman to Mudcamp and intersecting with the road to Tompkinsville, Ky.

This section of road herein established shall be entitled to conditions and benefits of any laws now in force or hereafter enacted pertaining to highways of this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Marshall Barnes | Reuben J. Boling |
| Levi Baker | B. F. Bedford | O. J. Bowen |
| Harold L. Barnes | Wm. B. Belknap | Jas. C. Bright |

| | | |
|---|---|---|
| Corbett Brown | Frank Harris | James B. Milliken |
| Wallace Brown | R. M. Harrison, Jr. | Tyler Munford |
| Frank C. Bruton | J. Joseph Hettinger | Rodes K. Myers |
| Hugh K. Bullitt | Dr. A. L. Hill | James I. Peters |
| Mrs. Cecil Cantrill | John R. Hobbs | Steve Pieratt |
| J. A. Coleman | G. W. Howard | Kleber F. Price |
| Sidney J. Collins | Ira W. Hulette | G. M. Pritchett |
| D. B. Coughlin | G. C. Johnson | Waylon Rayburn |
| Joel T. Crenshaw | T. M. Johnson | W. P. Renfro |
| Carroll L. Cropper | J. H. King | L. D. Sandlin |
| G. Cunningham | Leo King | Avery Sartin |
| W. J. Curtis | John Kirtley | Jos. W. Schneider |
| Harry Davis | W. L. Knuckles, Jr. | Mrs. M. B. Scott |
| R. A. Demunbrun | Alden L. Love | Harry Sparks |
| S. S. Dickson | M. T. McCarthy | Lafe J. Spencer |
| Garland Embry | C. C. McMasters | Lyle C. Tackett |
| Clarence E. Evans | Roy McWaters | John W. Taylor |
| Rudy Ferguson | C. C. May | Harry B. Thornton |
| J. B. Floyd | J. S. Mattingly | J. Sterling Towles |
| W. J. Garnett | L. B. Meadors | Starling B. Tracy |
| Ferd A. Gnau | G. Samuel Milam | Robert E. Webb |
| J. S. Hall | Clarence Miller | J. B. Wicker |
| W. Yancey Handy | H. H. Miller | B. M. Williams |
| Judson Harmon | W. H. Miller | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 862. An Act relating to roads, and establishing as part of the Primary System of Highways, a road leading from Royal in Grayson County, via Pearman, to Wax in Grayson County.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That there is hereby established as part of the primary system of the State Highways of the Commonwealth of Kentucky, a road beginning at Royal in Grayson County, Kentucky, via Pearman, and running from thence to Wax in Grayson County.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Corbett Brown | Carroll L. Cropper |
| Levi Baker | Wallace Brown | G. Cunningham |
| Harold L. Barnes | Frank C. Bruton | W. J. Curtis |
| Marshall Barnes | Hugh K. Bullitt | Harry Davis |
| B. F. Bedford | Mrs. Cecil Cantrill | R. A. Demunbrun |
| Wm. B. Belknap | J. A. Coleman | S. S. Dickson |
| Reuben J. Boling | Sidney J. Collins | Garland Embry |
| O. J. Bowen | D. B. Coughlin | Clarence E. Evans |
| Jas. C. Bright | Joel T. Crenshaw | Rudy Ferguson |

| | | |
|---|---|---|
| J. B. Floyd | W. L. Knuckles, Jr. | G. M. Pritchett |
| W. J. Garnett | Alden L. Love | Waylon Rayburn |
| Ferd A. Gnau | M. T. McCarthy | W. P. Renfro |
| J. S. Hall | C. C. McMasters | L. D. Sandlin |
| W. Yancey Handy | Roy McWaters | Avery Sartin |
| Judson Harmon | C. C. May | Jos. W. Schneider |
| Frank Harris | J. S. Mattingly | Mrs. M. B. Scott |
| R. M. Harrison, Jr. | L. B. Meadors | Harry Sparks |
| J. Joseph Hettinger | G. Samuel Milam | Lafe J. Spencer |
| Dr. A. L. Hill | Clarence Miller | Lyle C. Tackett |
| John R. Hobbs | H. H. Miller | John W. Taylor |
| G. W. Howard | W. H. Miller | Harry B. Thornton |
| Ira W. Hulette | James B. Milliken | J. Sterling Towles |
| G. C. Johnson | Tyler Munford | Starling B. Tracy |
| T. M. Johnson | Rodes K. Myers | Robt. E. Webb |
| J. H. King | James I. Peters | J. B. Wicker |
| Leo King | Steve Pieratt | B. M. Williams |
| John Kirtley | Kleber F. Price | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 863. An Act to establish as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road project to be added to the system of Highways as provided herein:

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road beginning at Louisa Pierce's barn in Russell County, Kentucky, to intersect with Road No. 90 at Lula, Russell County, Kentucky, same to be constructed and maintained as part of the state's Highway System of Roads.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. A. Coleman | W. J. Garnett |
| Levi Baker | Sidney J. Collins | Ferd A. Gnau |
| Harold L. Barnes | D. B. Coughlin | J. S. Hall |
| Marshall Barnes | Joel T. Crenshaw | W. Yancey Handy |
| B. F. Bedford | Carroll L. Cropper | Judson Harmon |
| Wm. B. Belknap | G. Cunningham | Frank Harris |
| Reuben J. Boling | W. J. Curtis | R. M. Harrison, Jr. |
| O. J. Bowen | Harry Davis | J. Joseph Hettinger |
| Jas. C. Bright | R. A. Demunbrun | Dr. A. L. Hill |
| Corbett Brown | S. S. Dickson | John R. Hobbs |
| Wallace Brown | Garland Embry | G. W. Howard |
| Frank C. Bruton | Clarence E. Evans | Ira W. Hulette |
| Hugh K. Bullitt | Rudy Ferguson | G. C. Johnson |
| Mrs. Cecil Cantrill | J. B. Floyd | T. M. Johnson |

| | | |
|---|---|---|
| J. H. King | H. H. Miller | Jos. W. Schneider |
| Leo King | W. H. Miller | Mrs. M. B. Scott |
| John Kirtley | James B. Milliken | Harry Sparks |
| W. L. Knuckles, Jr. | Tyler Munford | Lafe J. Spencer |
| Alden L. Love | Rodes K. Myers | Lyle C. Tackett |
| M. T. McCarthy | James I. Peters | John W. Taylor |
| C. C. McMasters | Steve Pieratt | Harry B. Thornton |
| Roy McWaters | Kleber F. Price | J. Sterling Towles |
| C. C. May | G. M. Pritchett | Starling B. Tracy |
| J. S. Mattingly | Waylon Rayburn | Robert E. Webb |
| L. B. Meadors | W. P. Renfro | J. B. Wicker |
| G. Samuel Milam | L. D. Sandlin | B. M. Williams |
| Clarence Miller | Avery Sartin | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 864. An Act to establish as a part of the Primary System of State Highways of the Commonwealth of the State of Kentucky, a road project to be added to the primary system of highways, as provided for herein.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That there is hereby established as a part of the Primary

System of State Highways of the Commonwealth of the State of Kentucky, a road beginning at Albany, Kentucky, and running by way of Lees Chapel, to the Tennessee State line, near Miller's Mill, in Tennessee. Same to be constructed and maintained as a part of the State's System of Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | W. J. Curtis | G. C. Johnson |
| Levi Baker | Harry Davis | T. M. Johnson |
| Harold L. Barnes | R. A. Demunbrun | J. H. King |
| Marshall Barnes | S. S. Dickson | Leo King |
| B. F. Bedford | Garland Embry | John Kirtley |
| Wm. B. Belknap | Clarence E. Evans | W. L. Knuckles, Jr. |
| Reuben J. Boling | Rudy Ferguson | Alden L. Love |
| O. J. Bowen | J. B. Floyd | M. T. McCarthy |
| Jas. C. Bright | W. J. Garnett | C. C. McMasters |
| Corbett Brown | Ferd A. Gnau | Roy McWaters |
| Wallace Brown | J. S. Hall | C. C. May |
| Frank C. Bruton | W. Yancey Handy | J. S. Mattingly |
| Hugh K. Bullitt | Judson Harmon | L. B. Meadors |
| Mrs. Cecil Cantrill | Frank Harris | G. Samuel Milam |
| J. A. Coleman | R. M. Harrison, Jr. | Clarence Miller |
| Sidney J. Collins | J. Joseph Hettinger | H. H. Miller |
| D. B. Coughlin | Dr. A. L. Hill | W. H. Miller |
| Joel T. Crenshaw | John R. Hobbs | James B. Milliken |
| Carroll L. Cropper | G. W. Howard | Tyler Munford |
| G. Cunningham | Ira W. Hulette | Rodes K. Myers |

| | | |
|---|---|---|
| James I. Peters | Avery Sartin | Harry B. Thornton |
| Steve Pieratt | Jos. W. Schneider | J. Sterling Towles |
| Kleber F. Price | Mrs. M. B. Scott | Starling B. Tracy |
| G. M. Pritchett | Harry Sparks | Robert E. Webb |
| Waylon Rayburn | Lafe J. Spencer | J. B. Wicker |
| W. P. Renfro | Lyle C. Tackett | B. M. Williams |
| L. D. Sandlin | John W. Taylor | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 865. An Act to establish as a part of the primary system of State Highways of the Commonwealth of the State of Kentucky, a road project to be added to the system of Highways, as provided herein.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road beginning at Kentucky-Tennesee State Line, near Lylydale, Tennessee, by way of Frogue, Cumberland County, to continue and intersect with Highway No. 90 on Bear Creek,

Cumberland County, in Kentucky. Same to be constructed and maintained as a part of the State's System of Roads.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | S. S. Dickson | Alden L. Love |
| Levi Baker | Garland Embry | M. T. McCarthy |
| Harold L. Barnes | Clarence E. Evans | C. C. McMasters |
| Marshall Barnes | Rudy Ferguson | Roy McWaters |
| B. F. Bedford | J. B. Floyd | C. C. May |
| Wm. B. Belknap | W. J. Garnett | J. S. Mattingly |
| Reuben J. Boling | Ferd A. Gnau | L. B. Meadors |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Judson Harmon | H. H. Miller |
| Wallace Brown | Frank Harris | W. H. Miller |
| Frank C. Bruton | R. M. Harrison, Jr. | James B. Milliken |
| Hugh K. Bullitt | J. Joseph Hettinger | Tyler Munford |
| Mrs. Cecil Cantrill | Dr. A. L. Hill | Rodes K. Myers |
| J. A. Coleman | John R. Hobbs | James I. Peters |
| Sidney J. Collins | G. W. Howard | Steve Pieratt |
| D. B. Coughlin | Ira W. Hulette | Kleber F. Price |
| Joel T. Crenshaw | G. C. Johnson | G. M. Pritchett |
| Carroll L. Cropper | T. M. Johnson | Waylon Rayburn |
| G. Cunningham | J. H. King | W. P. Renfro |
| W. J. Curtis | Leo King | L. D. Sandlin |
| Harry Davis | John Kirtley | Avery Sartin |
| R. A. Demunbrun | W. L. Knuckles, Jr. | Jos. W. Schneider |

| | | |
|---|---|---|
| Mrs. M. B. Scott | John W. Taylor | Robert E. Webb |
| Harry Sparks | Harry B. Thornton | J. B. Wicker |
| Lafe J. Spencer | J. Sterling Towles | B. M. Williams |
| Lyle C. Tackett | Starling B. Tracy | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 866. An Act establishing as part of the Primary System of State Highways, a road beginning at Cas Ross's place and running with the State Highway Survey to an intersection on No. 90 near Waterview in Cumberland County.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That there is hereby established as part of the primary state road system in Cumberland County, Kentucky, a road beginning at Cas Ross's place in Monroe County, and following the State Highway survey and to intersect No. 90, near Waterview in Cumberland County. The Highway Commission is directed to assign an appropriate project number.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robt. E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 867. An Act relating to Roads and Highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following: A road beginning near Jeff and Joe Ross's place, to Mud Camp, via Allens and Rock Bottom Ford, in Cumberland County, Kentucky.

§ 2. Said project thus established as a part of the primary roads of this Commonwealth shall be entitled to all the privileges, benefits and conditions now given by any act or law to the primary roads of this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration the Orders of the Day a bill entitled:

H. B. 868. An Act adding the road from Majestic, Kentucky, up Tug River to the mouth of Knox Creek and up Knox Creek the most practical route to the Virginia line to the primary system.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That there be and now is hereby established, as a part of the primary road system of the Commonwealth of Kentucky, the following road to be designated as project number ....., from a point at Majestic, Kentucky, up Tug River to the mouth of Knox Creek and up Knox Creek the most practical route to the Virginia line to the primary system.

Said project thus established to be a part of the primary system of roads and to be entitled to all the benefits and subject to all laws now or hereafter in force with relation to same and to be added to the projects established by Chapter seventeen of the Acts of nineteen hundred and twenty as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Mrs. M. B. Scott |
| Sidney J. Collins | J. H. King | Jos. W. Schneider |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robt. E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 869. An Act placing Project No. ..... on the Primary System.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and is hereby established as a part of the Primary Road System of the Commonwealth of Kentucky the following road to be designated as project number ....., from a point at Majestic, Kentucky, up Tug River to the mouth of Knox Creek and up Knox Creek the most practical route to the Virginia line to the primary system.

Said project thus established to be part of the Primary System and to be entitled to all the benefits, subject to all the laws now or hereafter in force with relation to same and be added to the project established by Chapter 17 of the Acts of 1920 as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | J. S. Mattingly | Robert E. Webb |
| Garland Embry | C. C. May | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 871. An Act relating to Roads and Highways and describing and establishing the following project, to-wit: Running from South Williamsburg, Kentucky, to Gatliff, Kentucky, by the way of Verne, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. There is hereby established a part of the primary system of roads in this Commonwealth, running from South Williamsburg, Kentucky, to Gatliff, Kentucky, by the way of Verne, Kentucky.

This road thus established is to be designated as project number ....., and to be known as the Gatliff Highway, in honor of the Highway Commissioner of the Ninth district, Hon. E. M. Gatliff, of Williamsburg, Kentucky, and to be entitled to and receive all benefits of such laws as are now or may hereafter be in effect, relating to roads and highways in this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Harold L. Barnes | B. F. Bedford |
| Levi Baker | Marshall Barnes | Wm. B. Belknap |

| | | |
|---|---|---|
| Reuben J. Boling | W. Yancey Handy | W. H. Miller |
| O. J. Bowen | Judson Harmon | James B. Milliken |
| Jas. C. Bright | Frank Harris | Tyler Munford |
| Corbett Brown | R. M. Harrison, Jr. | Rodes K. Myers |
| Wallace Brown | J. Joseph Hettinger | James I. Peters |
| Frank C. Bruton | Dr. A. L. Hill | Steve Pieratt |
| Hugh K. Bullitt | John R. Hobbs | Kleber F. Price |
| Mrs. Cecil Cantrill | G. W. Howard | G. M. Pritchett |
| J. A. Coleman | Ira W. Hulette | Waylon Rayburn |
| Sidney J. Collins | G. C. Johnson | W. P. Renfro |
| D. B. Coughlin | T. M. Johnson | L. D. Sandlin |
| Joel T. Crenshaw | J. H. King | Avery Sartin |
| Carroll L. Cropper | Leo King | Jos. W. Schneider |
| G. Cunningham | John Kirtley | Mrs. M. B. Scott |
| W. J. Curtis | W. L. Knuckles, Jr. | Harry Sparks |
| Harry Davis | Alden L. Love | Lafe J. Spencer |
| R. A. Demunbrun | M. T. McCarthy | Lyle C. Tackett |
| S. S. Dickson | C. C. McMasters | John W. Taylor |
| Garland Embry | Roy McWaters | Harry B. Thornton |
| Clarence E. Evans | J. S. Mattingly | J. Sterling Towles |
| Rudy Ferguson | C. C. May | Starling B. Tracy |
| J. B. Floyd | L. B. Meadors | Robert E. Webb |
| W. J. Garnett | G. Samuel Milam | J. B. Wicker |
| Ferd A. Gnau | Clarence Miller | B. M. Williams |
| J. S. Hall | H. H. Miller | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 872. An Act to establish as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at a point on the Morgantown and Franklin State Highway at the farm of Mrs. Ed J. Hobdy, and running in a westerly direction by Locust Grove Church, intersecting the Franklin and Russellville, Kentucky, State Highway at the Lon Young Farm.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That there is hereby established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at a point on the Morgantown and Franklin State Highway at the farm of Mrs. Ed J. Hobdy and running in a westerly direction by Locust Grove Church and crossing the Auburn and Middleton road at said Church, thence in said westerly direction by Oak Tree School House to the Franklin and Russellville State Highway at the Lon Young farm. Being a distance of about eleven miles, said road shall be designated as Project No. ....., and shall be entitled to all the privileges, benefits and conditions now given under Chapter 17, in the Acts of the General Assembly of 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | J. S. Mattingly | Robert E. Webb |
| Garland Embry | C. C. May | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 873. An Act to add to the Primary System of Public Roads, the road beginning at a point in the Springfield, Tennesee and Franklin, Kentucky State Highway, near the Meredith farm, running in a westerly direction by Mike Brewer's place, through and by Price's Mill to Adairville, Kentucky, a distance of approximately fifteen miles.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That there be and there is now established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at a point in the Springfield, Tennessee, and Franklin, Kentucky, State Highway, near the Meredith farm and running in a westerly direction, by the Mike Brewer place and intersecting the "Old Price's Mill Road" at the John Flowers' farm, thence to and through Price's Mill by the Bailey Bayles and Mun Spencer farms, by the Albert Fuqua farm in Logan County, Kentucky, thence in a westerly direction by the Burr and Will Snider farms, then into Adairville, being a distance of approximately fifteen miles.

Said road shall be designated as Project No. ....., and shall be entitled to all the benefits under Acts of 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | J. S. Mattingly | Robt. E. Webb |
| Garland Embry | C. C. May | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 876. An Act relating to Roads and Highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following: A road beginning at Goshen on Highway 42, and following the present Goshen lane to the Lower River road.

§ 2. Said project thus established as a part of the primary roads of this Commonwealth shall be entitled to all the privileges, benefits and conditions now given by any act or law to the primary roads of this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Harold L. Barnes | B. F. Bedford |
| Levi Baker | Marshall Barnes | Wm. B. Belknap |

| | | |
|---|---|---|
| Reuben J. Boling | W. Yancey Handy | W. H. Miller |
| O. J. Bowen | Judson Harmon | James B. Milliken |
| Jas. C. Bright | Frank Harris | Tyler Munford |
| Corbett Brown | R. M. Harrison, Jr. | Rodes K. Myers |
| Wallace Brown | J. Joseph Hettinger | James I. Peters |
| Frank C. Bruton | Dr. A. L. Hill | Steve Pieratt |
| Hugh K. Bullitt | John R. Hobbs | Kleber F. Price |
| Mrs. Cecil Cantrill | G. W. Howard | G. M. Pritchett |
| J. A. Coleman | Ira W. Hulette | Waylon Rayburn |
| Sidney J. Collins | G. C. Johnson | W. P. Renfro |
| D. B. Coughlin | T. M. Johnson | L. D. Sandlin |
| Joel T. Crenshaw | J. H. King | Avery Sartin |
| Carroll L. Cropper | Leo King | Jos. W. Schneider |
| G. Cunningham | John Kirtley | Mrs. M. B. Scott |
| W. J. Curtis | W. L. Knuckles, Jr. | Harry Sparks |
| Harry Davis | Alden L. Love | Lafe J. Spencer |
| R. A. Demunbrun | M. T. McCarthy | Lyle C. Tackett |
| S. S. Dickson | C. C. McMasters | John W. Taylor |
| Garland Embry | Roy McWaters | Harry B. Thornton |
| Clarence E. Evans | C. C. May | J. Sterling Towles |
| Rudy Ferguson | J. S. Mattingly | Starling B. Tracy |
| J. B. Floyd | L. B. Meadors | Robt. E. Webb |
| W. J. Garnett | G. Samuel Milam | J. B. Wicker |
| Ferd A. Gnau | Clarence Miller | B. M. Williams |
| J. S. Hall | H. H. Miller | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 877. An Act relating to Roads and Highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following: A road beginning at the covered bridge over Harrod's Creek in Oldham County, on the Prospect-Brownsboro road, thence with Mayo lane crossing Highway 42 at I. L. Wilson's farm, thence to and connecting with the lower river road at Kerlin and Garvin farms.

§ 2. Said project thus established as a part of the primary roads of this Commonwealth shall be entitled to all the privileges, benefits and conditions now given by any act or law to the primary roads of this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Jas. C. Bright | D. B. Coughlin |
| Levi Baker | Corbett Brown | Joel T. Crenshaw |
| Harold L. Barnes | Wallace Brown | Carroll L. Cropper |
| Marshall Barnes | Frank C. Bruton | G. Cunningham |
| B. F. Bedford | Hugh K. Bullitt | W. J. Curtis |
| Wm. B. Belknap | Mrs. Cecil Cantrill | Harry Davis |
| Reuben J. Boling | J. A. Coleman | R. A. Demunbrun |
| O. J. Bowen | Sidney J. Collins | S. S. Dickson |

| | | |
|---|---|---|
| Garland Embry | Leo King | Kleber F. Price |
| Clarence E. Evans | John Kirtley | G. M. Pritchett |
| Rudy Ferguson | W. L. Knuckles, Jr. | Waylon Rayburn |
| J. B. Floyd | Alden L. Love | W. P. Renfro |
| W. J. Garnett | M. T. McCarthy | L. D. Sandlin |
| Ferd A. Gnau | C. C. McMasters | Avery Sartin |
| J. S. Hall | Roy McWaters | Jos. W. Schneider |
| W. Yancey Handy | C. C. May | Mrs. M. B. Scott |
| Judson Harmon | J. S. Mattingly | Harry Sparks |
| Frank Harris | L. B. Meadors | Lafe J. Spencer |
| R. M. Harrison, Jr. | G. Samuel Milam | Lyle C. Tackett |
| J. Joseph Hettinger | Clarence Miller | John W. Taylor |
| Dr. A. L. Hill | H. H. Miller | Harry B. Thornton |
| John R. Hobbs | W. H. Miller | J. Sterling Towles |
| G. W. Howard | James B. Milliken | Starling B. Tracy |
| Ira W. Hulette | Tyler Munford | Robert E. Webb |
| G. C. Johnson | Rodes K. Myers | J. B. Wicker |
| T. M. Johnson | James I. Peters | B. M. Williams |
| J. H. King | Steve Pieratt | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 878. An Act relating to Roads and Highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following: A road beginning on Highway 42 at or near Bottorff's farm and running by Greenfield County Club, joining the lower river road.

§ 2. Said project thus established as a part of the primary roads of this Commonwealth shall be entitled to all the privileges, benefits and conditions now given by any act or law to the primary roads of this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Mrs. Cecil Cantrill | Rudy Ferguson |
| Levi Baker | J. A. Coleman | J. B. Floyd |
| Harold L. Barnes | Sidney J. Collins | W. J. Garnett |
| Marshall Barnes | D. B. Coughlin | Ferd A. Gnau |
| B. F. Bedford | Joel T. Crenshaw | J. S. Hall |
| Wm. B. Belknap | Carroll L. Cropper | W. Yancey Handy |
| Reuben J. Boling | G. Cunningham | Judson Harmon |
| O. J. Bowen | W. J. Curtis | Frank Harris |
| Jas. C. Bright | Harry Davis | R. M. Harrison, Jr. |
| Corbett Brown | R. A. Demunbrun | J. Joseph Hettinger |
| Wallace Brown | S. S. Dickson | Dr. A. L. Hill |
| Frank C. Bruton | Garland Embry | John R. Hobbs |
| Hugh K. Bullitt | Clarence E. Evans | G. W. Howard |

| | | |
|---|---|---|
| Ira W. Hulette | G. Samuel Milam | Avery Sartin |
| G. C. Johnson | Clarence Miller | Jos. W. Schneider |
| T. M. Johnson | H. H. Miller | Mrs. M. B. Scott |
| J. H. King | W. H. Miller | Harry Sparks |
| Leo King | James B. Milliken | Lafe J. Spencer |
| John Kirtley | Tyler Munford | Lyle C. Tackett |
| W. L. Knuckles, Jr. | Rodes K. Myers | John W. Taylor |
| Alden L. Love | James I. Peters | Harry B. Thornton |
| M. T. McCarthy | Steve Pieratt | J. Sterling Towles |
| C. C. McMasters | Kleber F. Price | Starling B. Tracy |
| Roy McWaters | G. M. Pritchett | Robert E. Webb |
| C. C. May | Waylon Rayburn | J. B. Wicker |
| J. S. Mattingly | W. P. Renfro | B. M. Williams |
| L. B. Meadors | L. D. Sandlin | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 879. An Act relating to Roads and Highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following: A road beginning on Highway 42 in Jefferson

County, at Prospect, and running parallel with the Ohio River to Westport in Oldham County, thence to and joining State Project No. ....., by way of Hurrican Hollow, thence back to Highway 42.

§ 2. Said project thus established as a part of the primary roads of this Commonwealth shall be entitled to all the privileges, benefits and conditions now given by any act or law to the primary roads of this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Joel T. Crenshaw | R. M. Harrison, Jr. |
| Levi Baker | Carroll L. Cropper | J. Joseph Hettinger |
| Harold L. Barnes | G. Cunningham | Dr. A. L. Hill |
| Marshall Barnes | W. J. Curtis | John R. Hobbs |
| B. F. Bedford | Harry Davis | G. W. Howard |
| Wm. B. Belknap | R. A. Demunbrun | Ira W. Hulette |
| Reuben J. Boling | S. S. Dickson | G. C. Johnson |
| O. J. Bowen | Garland Embry | T. M. Johnson |
| Jas. C. Bright | Clarence E. Evans | J. H. King |
| Corbett Brown | Rudy Ferguson | Leo King |
| Wallace Brown | J. B. Floyd | John Kirtley |
| Frank C. Bruton | W. J. Garnett | W. L. Knuckles, Jr. |
| Hugh K. Bullitt | Ferd A. Gnau | Alden L. Love |
| Mrs. Cecil Cantrill | J. S. Hall | M. T. McCarthy |
| J. A. Coleman | W. Yancey Handy | C. C. McMasters |
| Sidney J. Collins | Judson Harmon | Roy McWaters |
| D. B. Coughlin | Frank Harris | C. C. May |

| | | |
|---|---|---|
| J. S. Mattingly | Steve Pieratt | Lafe J. Spencer |
| L. B. Meadors | Kleber F. Price | Lyle C. Tackett |
| G. Samuel Milam | G. M. Pritchett | John W. Taylor |
| Clarence Miller | Waylon Rayburn | Harry B. Thornton |
| H. H. Miller | W. P. Renfro | J. Sterling Towles |
| W. H. Miller | L. D. Sandlin | Starling B. Tracy |
| James B. Milliken | Avery Sartin | Robert E. Webb |
| Tyler Munford | Jos. W. Schneider | J. B. Wicker |
| Rodes K. Myers | Mrs. M. B. Scott | B. M. Williams |
| James I. Peters | Harry Sparks | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 880. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the west side of the public square in Manchester, Clay County, Kentucky, and running in a westerly direction up the Town Branch and through the Muddy Gap to Little Goose Creek; thence up the right-hand fork of said Goose Creek in a northwesterly direction to a point at or near Fogertown to connect with the Burning Springs–Fogertown–East Bernstadt road, same being a part of the primary system of roads and highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the west side of the public square in the city of Manchester and running in a westerly direction up the Town Branch and through Muddy Gap to Little Goose Creek; thence up the right-hand fork (or Gray's Fork) of Little Goose Creek in a northwesterly direction to a point at or near Fogertown to connect with the Burning Springs–Fogertown–East Bernstadt road, same being a part of the primary system of roads and highways of the Commonwealth of Kentucky.

§ 2. Said road thus established shall be known as project number ....., and shall be subject to the privileges, benefits and conditions now provided by law, or that may hereafter be provided by law, of the primary system of roads and highways of the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Reuben J. Boling | Hugh K. Bullitt |
| Levi Baker | O. J. Bowen | Mrs. Cecil Cantrill |
| Harold L. Barnes | Jas. C. Bright | J. A. Coleman |
| Marshall Barnes | Corbett Brown | Sidney J. Collins |
| B. F. Bedford | Wallace Brown | D. B. Coughlin |
| Wm. B. Belknap | Frank C. Bruton | Joel T. Crenshaw |

| | | |
|---|---|---|
| Carroll L. Cropper | Ira W. Hulette | James I. Peters |
| G. Cunningham | G. C. Johnson | Steve Pieratt |
| W. J. Curtis | T. M. Johnson | Kleber F. Price |
| Harry Davis | J. H. King | G. M. Pritchett |
| R. A. Demunbrun | Leo King | Waylon Rayburn |
| S. S. Dickson | John Kirtley | W. P. Renfro |
| Garland Embry | W. L. Knuckles, Jr. | L. D. Sandlin |
| Clarence E. Evans | Alden L. Love | Avery Sartin |
| Rudy Ferguson | M. T. McCarthy | Jos. W. Schneider |
| J. B. Floyd | C. C. McMasters | Mrs. M. B: Scott |
| W. J. Garnett | Roy McWaters | Harry Sparks |
| Ferd A. Gnau | C. C. May | Lafe J. Spencer |
| J. S. Hall | J. S. Mattingly | Lyle C. Tackett |
| W. Yancey Handy | L. B. Meadors | John W. Taylor |
| Judson Harmon | G. Samuel Milam | Harry B. Thornton |
| Frank Harris | Clarence Miller | J. Sterling Towles |
| R. M. Harrison, Jr. | H. H. Miller | Starling B. Tracy |
| J. Joseph Hettinger | W. H. Miller | Robert E. Webb |
| Dr. A. L. Hill | James B. Milliken | J. B. Wicker |
| John R. Hobbs | Tyler Munford | B. M. Williams |
| G. W. Howard | Rodes K. Myers | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 881. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of

Kentucky a road beginning at a point on the Bosworth Trail about two miles north of Manchester and running in an easterly direction, and over the most direct route, whether by the pump station or up Bowling Branch, and down Jack's Branch to a point on the Manchester-Booneville road, via Oneida, at or near the John Coldiron farm, a distance of approximately seven miles.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the Bosworth Trail about two miles north of the city of Manchester and running in an easterly direction, and over the most direct route, whether by the pump station or up Bowling Branch, and down Jack's Branch to a point on the Manchester-Booneville road, via Oneida, at or near the John Coldiron farm, a distance of approximately seven miles.

§ 2. Said road thus established shall be known as project number ....., and shall be subject to all the privileges, conditions and benefits now provided by law, or that may hereafter be provided by law, of the primary system of roads and highways of the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 882. An Act establishing as part of the primary system of State highways a road, known as the short line road, starting at a point in Marion County at Veach's shop, about one and one-half miles east of Lebanon on U. S. No. 168, thence to an intersection with Route 68 in Washington County.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky a road starting at Veach's shop, about one and one-half miles east of Lebanon, Marion County, Kentucky, on U. S. 168, thence to an intersection with Route 68 in Washington County.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the primary system of roads and highways in this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | J. S. Mattingly | Robert E. Webb |
| Garland Embry | C. C. May | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 883. An Act establishing as part of the primary system of State highways a road beginning at or near the Penick School house (known as the Mays Chapel road) about six miles east of Lebanon, Marion County, Kentucky, on Route 168, thence to an intersection with Route No. 68 in Washington County.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at or near the Penick School house about six miles east of Lebanon, Marion County, Kentucky, on Route No. 168, thence to an intersection with Route No. 68 in Washington County.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the primary system of roads and highways in this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | Starling B. Tracy |
| R. A. Demunbrun | Roy McWaters | J. Sterling Towles |
| S. S. Dickson | J. S. Mattingly | Robert E. Webb |
| Garland Embry | C. C. May | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed ed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 885. An Act relating to roads and highways, and describing and establishing a project to be added to the State primary system of roads and highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. There is hereby established as part of the primary system of this Commonwealth, as created by Chapter 17, of the Acts of the General Assembly of 1920, and amended by Session Acts of 1924, 1926, 1928, 1930 and 1932, the following project, to-wit:

Beginning at Bowen, Kentucky, in Powell County, on Route No. 15, running up Cane Creek to forks of same; thence up right fork and down Hawkins to Route 40, to be known as Project No. .....

§ 2. Said project thus established to be part of the primary system of roads and highways, and to be entitled to all the benefits, and subject to all the laws hereafter or now in force in relation to same.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | J. S. Mattingly | Robert E. Webb |
| Garland Embry | C. C. May | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 886. An Act relating to roads and highways, and describing and establishing a project to be added to the State primary system of roads and highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. There is hereby established as part of the primary system of this Commonwealth, as created by Chapter 17 of the Acts of the General Assembly of 1920, and amended by Sessions Acts of 1924, '26, '28, '30 and '32, the following project, to-wit:

Beginning at the mouth of South Fork of Red River in Powell County, and running up same to old Estill Furnace, to be known as Project No. .....

§ 2. Said project thus established to be part of the primary system of roads and highways, and to be entitled to all the benefits and subject to all the laws hereafter or now in force in relation to same.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 892. An Act establishing as a part of the primary system of highways a road beginning at Carrollton, in Carroll County, at the eastern edge, and thence by way of United States Government Lock No. 1 to the United States Federal Highway No. 227 at or near the Morgan farm, thence to the Carrollton Eagle road at a point near the Carroll County Infirmary in Carroll County, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That there is hereby established a part of the primary system of State Highways of the Commonwealth of Kentucky, a road leading from the eastern city limits of the City of Carrollton in Carroll County, Kentucky, thence via United States Government Lock No. 1 on the Kentucky River in Carroll County, to the United States Federal Highway No. 227 in Carroll County near the Morgan farm thence to the Carrollton Eagle road at a point near the Carroll County Infirmary in Carroll County, a distance of about 3½ miles.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by provisions of Chapter 17 of the Acts of the General Assembly of 1920, as amended, to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 832. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the Dixie Highway on the west of Horse Cave at a point near the intersection of main street and running in a westerly direction by New-Hope Church and to the Mammoth Cave National Park area.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the Dixie Highway on the west of Horse Cave at a point near the intersection of main street and running in a westernly direction by New-Hope Church and to the Mammoth Cave National Park area. A distance of about five miles.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | C. C. May | Robert E. Webb |
| Garland Embry | J. S. Mattingly | B. M. Williams |
| Clarence E. Evans | L. B. Meadors | J. B. Wicker |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 848. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the Birmingham-Eddyville highway, running in a Northernly direction to Kuttawa Ferry or Kuttawa, Kentucky. The said road is to go via or near Sardis School House.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That there be and there is now established as part of the primary system of highways of the Commonwealth of Kentucky a road beginning on the Birmingham-Eddyville Highway running in a northernly direction to Kuttawa Ferry or Kuttawa, Kentucky. The said road is to go via or near Sardis School House.

The road now established as part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission and shall be entitled to all the rights, privileges and conditions of all the primary system that is now and may hereafter be created.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | J. S. Mattingly | Robert E. Webb |
| Garland Embry | C. C. May | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 849. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on the Ollie James Highway, approximately one and one-half (1½) miles northwest of Gresham's Store known as Confederate, Ky., running by said store to or near Rockcastle, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That there be and there is now established as part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at a point on the Ollie James Highway, approximately one and one-half (1½) miles northwest of Gresham's Store known as Confederate, Kentucky, running by said store to or near Rockcastle, Kentucky.

The road now established as part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission and shall be entitled to all the rights, privileges and conditions of all the primary system that is now and may hereafter be created.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Levi Baker | W. J. Garnett | H. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | W. H. Miller |
| Marshall Barnes | J. S. Hall | James B. Milliken |
| B. F. Bedford | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Judson Harmon | Rodes K. Myers |
| Reuben J. Boling | Frank Harris | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Steve Pieratt |
| Jas. C. Bright | J. Joseph Hettinger | Kleber F. Price |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | Waylon Rayburn |
| Frank C. Bruton | G. W. Howard | W. P. Renfro |
| Hugh K. Bullitt | Ira W. Hulette | L. D. Sandlin |
| Mrs. Cecil Cantrill | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Sidney J. Collins | J. H. King | Mrs. M. B. Scott |
| D. B. Coughlin | Leo King | Harry Sparks |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | John W. Taylor |
| W. J. Curtis | M. T. McCarthy | Harry B. Thornton |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| S. S. Dickson | J. S. Mattingly | Robert E. Webb |
| Garland Embry | C. C. May | J. B. Wicker |
| Clarence E. Evans | L. B. Meadors | B. M. Williams |
| Rudy Ferguson | G. Samuel Milam | —80 |

There voted in the negative—

Herschel McKinley —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the hour of twelve o'clock Meridian, Dr. Hill moved that the House do now recess until one-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

## AFTERNOON SESSION.

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

Without objection and at the instance of the Committee on Rules, the following bill was introduced, viz.:

H. B. 894. An Act to amend Section 2223 b-2, Kentucky Statutes, Carroll's 1930 Edition, relating to the incorporation of industrial banks, etc.

Ordered that said bill be printed and referred to Committee on Rules.

Dr. Hill moved that the session of to-day be extended indefinitely.

Said motion was agreed to.

Mr. Evans moved that a bill entitled H. B. 543. An Act to create a State Planning Board of nine members and providing an emergency therefor, etc., with a Committee amendment thereto by way of Substitute therefor, which was adopted by this House on March 7, be taken up for immediate consideration from the Clerk's desk.

Said motion was agreed to.

Thereupon the House took up for consideration said bill.

(For bill see House Journal of March 7.)

(For Substitute see House Journal of March 7.)

Mr. Evans moved that the vote by which said Substitute was adopted be reconsidered.

Said motion was agreed to.

Thereupon, Mr. Evans offered the following amendments to said Substitute, viz.:

1. Amend Substitute for H. B. 543 by striking out the word "shall" after the word "they" in line 20, page 2, and insert in lieu thereof the word "may."

2. Amend Substitute for H. B. 543 by adding after the word "act" in line 21 on page 2 the following: "provided by the United States Government."

3. Amend Substitute for H. B. 543 by striking out the word "therefor" after the word "provided" in line 29 of page 2 and inserting the words: "by the United States Government."

4. Amend Substitute for H. B. 543 by striking therefrom all of Section 6 on page 5 thereof and inserting in lieu there-

of the following: "The State Planning Board is hereby authorized and empowered to accept and use any funds provided by the United States Government on any agency thereof for the purposes herein to be expended as may be agreed upon between said Board and the United States Government, or any agency thereof."

Said amendments were each and severally agreed to.

Said Substitute was then adopted, as amended.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Mrs. Cecil Cantrill | L. J. Gammon |
| Carroll D. Asbury | J. A. Coleman | W. J. Garnett |
| Levi Baker | Sidney J. Collins | Ferd A. Gnau |
| Harold L. Barnes | D. B. Coughlin | J. S. Hall |
| Marshall Barnes | Joel T. Crenshaw | W. Yancey Handy |
| Robert E. Beatty | Carroll L. Cropper | Judson Harmon |
| B. F. Bedford | G. Cunningham | Frank Harris |
| Reuben J. Boling | W. J. Curtis | J. Joseph Hettinger |
| O. J. Bowen | Harry Davis | Dr. A. L. Hill |
| Jas. C. Bright | R. A. Demunbrun | John R. Hobbs |
| Wallace Brown | S. S. Dickson | G. W. Howard |
| Frank C. Bruton | Clarence E. Evans | Ira W. Hulette |
| Hugh K. Bullitt | Rudy Ferguson | G. C. Johnson |

| | | |
|---|---|---|
| T. M. Johnson | G. Samuel Milam | L. D. Sandlin |
| J. H. King | Clarence Miller | Avery Sartin |
| Leo King | H. H. Miller | Jos. W. Schneider |
| John Kirtley | W. H. Miller | Mrs. M. B. Scott |
| W. L. Knuckles, Jr. | James B. Milliken | Lafe J. Spencer |
| Glenn W. Lane | Tyler Munford | Lyle C. Tackett |
| Alden L. Love | Rodes K. Myers | Harry B. Thornton |
| M. T. McCarthy | James I. Peters | J. Sterling Towles |
| Herschel McKinley | Steve Pieratt | Starling B. Tracy |
| C. C. McMasters | Kleber F. Price | Henry T. Ward |
| Roy McWaters | G. M. Pritchett | Robert E. Webb |
| C. C. May | Pat Rankin | B. M. Williams |
| J. S. Mattingly | Waylon Rayburn | |
| L. B. Meadors | W. P. Renfro | —80 |

Mr. Evans offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 543 by striking out the words in next to and in the last line thereof to-wit: "and making appropriation for the expenses of such State Planning Board" and insert in lieu thereof the following words: "and for expense of State Planning Board as may be provided by United States Government or any agency thereof."

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Evans moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 462. An Act relating to trailers used for private pleasure connected with private passenger cars and relating to the registration and license thereof.

With a Committee amendment thereto.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That it shall be unlawful to use upon any of the highways of this Commonwealth any trailers designed and used for private pleasure purposes in connection with private passenger cars and not exceeding the legal requirements of this Commonwealth relating to size and weight unless the owners thereof shall first have procured a license and registered such trailer with a county clerk of this Commonwealth.

§ 2. The annual fee for such license and registration shall be the sum of one dollar from which the clerk will retain five cents for his fee and the remainder shall be turned over by the county clerk to the auditor for the benefit of the State road fund to pay for such license plates and for the construction and maintenance of the state highway system and the payment of the salaries of the officers and employees thereof.

§ 3. It shall be unlawful to operate such trailers upon the highways of this Commonwealth unless license plates are attached to the front and rear thereof and constantly maintained in a legible condition.

§ 4. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two dollars nor more than five dollars for each offense. Each appearance of such trailer upon any public highway within this State shall be considered a separate offense.

§ 5. All laws and parts of laws in conflict herewith are hereby repealed.

Said amendment as offered by the Committee is as follows, viz.:

Amend H. B. 462 by changing the words "one dollar" in line 2, Section 2, of the original to "one dollar and fifty cents" and by changing the words "five cents" in line 3, Section 2, of the original bill to "twenty-five cents."

Said amendment was agreed to.

Mr. Coughlin offered the following amendment to said bill, viz.:

Amend H. B. 462 by adding the following sentence at the end of Section 3 thereof: "This Act is not intended to apply to any trailer used for agricultural purposes, commercial purpose or to any trailer not actually used as a place of habitation."

Said amendment was agreed to.

Mr. Ward offered the following amendment to said bill, viz.:

Amend H. B. 462 by adding after the word "unlawful" in Section 1, line 1 of the printed bill the words "for any citizen of this Commonwealth" and by adding after the word "used" in Section 1, line 2, the words "as living quarters."

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Rudy Ferguson | H. H. Miller |
| Carroll D. Asbury | L. J. Gammon | W. H. Miller |
| Levi Baker | Ferd A. Gnau | James B. Milliken |
| Harold L. Barnes | J. S. Hall | Tyler Munford |
| Marshall Barnes | W. Yancey Handy | Rodes K. Myers |
| Robert E. Beatty | Judson Harmon | James I. Peters |
| Wm. B. Belknap | Frank Harris | Steve Pieratt |
| Reuben J. Boling | J. Joseph Hettinger | Kleber F. Price |
| O. J. Bowen | Dr. A. L. Hill | G. M. Pritchett |
| Jas. C. Bright | John R. Hobbs | Pat Rankin |
| Corbett Brown | G. W. Howard | Waylon Rayburn |
| Wallace Brown | Ira W. Hulette | W. P. Renfro |
| Frank C. Bruton | G. C. Johnson | L. D. Sandlin |
| Hugh K. Bullitt | T. M. Johnson | Avery Sartin |
| Mrs. Cecil Cantrill | J. H. King | Mrs. M. B. Scott |
| J. A. Coleman | Leo King | Lafe J. Spencer |
| Sidney J. Collins | John Kirtley | Lyle C. Tackett |
| D. B. Coughlin | W. L. Knuckles, Jr. | John W. Taylor |
| Joel T. Crenshaw | Glenn W. Lane | Harry B. Thornton |
| Carroll L. Cropper | Alden L. Love | J. Sterling Towles |
| G. Cunningham | M. T. McCarthy | Starling B. Tracy |
| W. J. Curtis | Herschel McKinley | Henry T. Ward |
| Harry Davis | C. C. McMasters | Robert E. Webb |
| R. A. Demunbrun | C. C. May | J. B. Wicker |
| S. S. Dickson | J. S. Mattingly | B. M. Williams |
| Garland Embry | L. B. Meadors | |
| Clarence E. Evans | G. Samuel Milam | —78 |

Resolved that the title thereof be as aforesaid.

Mr. Coughlin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 753. An Act to regulate the Department of Mines and Minerals of the Commonwealth of Kentucky; to provide for the appointment and employment of officers and employees thereof; to designate the chief officer of said department as the Chief of the Department of Mines and Minerals; to prescribe the qualifications of such officers and employees and define their duties, rights and privileges, and to fix their salaries and provide for the payment of their expenses; to provide offices for said department and necessary and proper equipment, instruments, appliances, apparatus, trucks, chemicals, stationery, postage, and other things, for the use of said department and its officers and employees; to provide for the supervision and inspection of all commercial coal mines by said Department of Mines and Minerals of this Commonwealth, and to provide for the safety and protection of persons employed in and about mines and of mining property and other property used in connection with mines; to prescribe the duties of mine owners and operators and their employees respecting the planning, equipment, management and operation of mines and the methods of work and labor therein and in connection therewith; to provide that said department and its officers and employees shall operate and be protected by the provisions of the Workmen's Compensation Laws of Kentucky; to provide penalties for violations of this act and to repeal certain statutes and all laws in conflict herewith.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. *Definitions.*

*Mine:* In this act the term "mine" includes the shafts, slopes, drifts or inclined planes connected with excavations penetrating coal stratum or strata, which excavations are ventilated by one general air current, or divisions thereof, and connected by one general system of mine railroads over which coal may be delivered to one or more points outside the mine.

*Excavations and Workings:* The term "excavations and workings" includes all the excavated portions of the mine, those abandoned as well as the places actually being worked; also all underground workings and shafts, tunnels and other ways and openings, and all such shafts, slopes, tunnels and other openings in the course of being sunk or driven, together with all roads, appliances, machinery and material connected with the same below the surface.

*Shaft:* The term "shaft" means a vertical opening through the strata that is or may be used for the purpose of ventilation or drainage, or for hoisting men, coal or material, or either, in connection with the mining of coal.

*Slope:* The term "slope" means an inclined opening used for the same purpose as a shaft.

*Drift:* The term "drift" means an opening through the strata, on which opening grades are such as to permit the coal to be hauled by mules or mechanical traction power, and which opening may be used for the purpose of ventilation, drainage, ingress, egress, and other purposes in connection with the mining of coal.

*Operator:* The term "operator" means any firm, corporation, or individual operating any coal mine, or any part thereof.

*Superintendent:* The term "superintendent" means the person who shall have on behalf of the operator, immediate supervision of one or more mines.

*Mine Foreman:* The term "mine foreman" means the person whom the operator or superintendent shall place in charge of the workings of the mine and of persons employed therein. He is required to be certificated and of seeing that the provisions of the mining law are complied with.

*Assistant Mine Foreman:* The term "assistant mine foreman" means the person designated to assist the mine foreman in the immediate supervision of a portion or the whole of a mine and of the persons employed therein.

*Fire Boss:* The term "fire boss" means any person whom the operator or superintendent is required to employ under certain conditions with reference to explosive gases in this act designated, when same are found to exist in a mine. He is required to be certificated and is changed with the duties of preserving the safety of the persons employed in such mines with reference to ventilation and gases.

*Shot-Firers:* The term "shot-firers" means a practical and experienced person whose duty shall be to charge, set off and discharge the shots in all blasting in the workings of said mine when deemed advisable by the operator or superintendent to do so; or when ordered to do so in gaseous mines by the district inspector and approved by the Chief of the Department of Mines and Minerals. Said shot-firers shall at all times be under the direction of the mine foreman.

*District Mine Inspector:* The term "district mine inspector" means a person recommended by the Chief of the Department of Mines and Minerals and commissioned by the Governor of the State. He is required to be certificated and is charged with the inspection of mines and to see that the requirements of this act are complied with.

*Inspector of Mine Weights:* The term "inspector of mine weights" means a person having the same qualifications

as a district mine inspector. He is required to have a general knowledge of mine scales and be thoroughly competent to inspect and test the same.

*Check Weighman:* The term "check weighman" means the person elected by a majority of the miners engaged in digging or mining coal at a mine or a person who has been mutuually agreed upon by the operator and miners to act as their representative and see that all coal mined or loaded by said miners is properly weighed and accounted for.

*Approved Safety Lamps:* The term "approved safety lamp" shall mean any bonneted saftey lamp which bears the approval plate of the Federal Bureau of Mines and is approved by the State Department of Mines and Minerals.

*Gaseous Mine:* A "gaseous mine" is one in which the percentage of explosive gas exceeds one-half of one per cent at the return of any one split in a dusty mine and exceeds one and one-fourth per cent at the return of any one split in a non-dusty mine.

*Commercial Mine:* The term "commercial mine" means any coal mine from which coal is mined for sale or exchange.

*Tipple or Dumping Point:* The term "tipple or dumping point" means the tipple or structure where coal is dumped or unloaded from the mine car into railroad cars, trucks, wagons or other means of conveyance.

The provisions of this act shall apply to all commercial coal mines, and where one or more persons are employed in a period of twenty-four hours, the operator of any such mine shall be required to employ a certified mine foreman therein to properly carry out the plans and rules when approved by the Chief of the Department of Mines and Minerals and to see that the mining law is complied with as required in this act.

§ 2. *Duties of the Department of Mines and Minerals.*— The supervision of all laws of the Commonwealth of Kentucky relating to mines is vested in the Department of Mines and Minerals.

§ 3. *Chief of the Dpartment of Mines and Minerals; His Designation, Appointment, Term of Office, Salary and Expenses.*—The chief officer of the Department of Mines and Minerals shall be designated as the "Chief of the Department of Mines and Minerals." The salary of the Chief of the Department of Mines and Minerals shall be $4,200.00 dollars per annum, payable monthly as other salaries are paid and he shall likewise be allowed and paid his necessary traveling and other expenses incurred on account of and when engaged in the discharge of his official duties. Immediately after the effective date of the act, the Governor of Kentucky shall appoint the Chief of the Department of Mines and Minerals who shall serve for a term of four years, subject to removal by the Governor at his pleasure.

§ 4. *Qualifications of the Chief of the Department of Mines and Minerals.*—The Chief of the Department of Mines and Minerals shall be a male citizen of Kentucky and shall be a competent person, having had at least fifteen (15) years mining experience, ten (10) of which having been in and about the mines in this state and he shall be thoroughly familiar with all methods of safety pertaining to the operation of mines, he shall have a practical knowledge of the different systems of working and ventilating coal mines and of the nature, chemistry, and properties of noxious and poisonous gases, also of explosive gases, also of the dangers due to such gases and the prevention thereof and of the dangers incident to blasting and the prevention thereof; of the methods for the prevention of explosions in mines due to gas or dust; of the methods for the management and extinguishing of mine fires; of the methods for rescue and relief work in mine disasters; of the application of electricity in mining operations; of the application of mechanical loading in mining operations, also of equipment and explosives manufactured for use in coal mines; of the mechanical features of mine scales and the methods used in properly inspecting and testing same; of the methods used in locating oil and gas wells when drilled through

any of the coal seams within the state; also the proper manner of drilling and plugging of said oil and gas wells; he shall have a practical knowledge of mining engineering and be able to efficiently report on any proposed development in mining operations or the possibilities of operating any of the coal seams within the state.

§ 5. *Oath and Bond.*—Said Chief of the Department of Mines and Minerals shall before he enters upon the discharge of his duties, be sworn to discharge said duties faithfully and impartially, which oath shall be in writing and certified by the officer administering it, and said oath and certificate shall be filed in the office of the Secretary of State and said Chief of the Department of Mines and Minerals shall give bond in the penal sum of two thousand dollars, with surety, to be approved by the Governor for the faithful discharge of his duties. Said Chief of the Department of Mines and Minerals shall be liable to dismissal by the Governor for willful neglect of duty, or misconduct or malfeasance in office.

§ 6. *Offices.*—The main offices of the Department of Mines and Minerals shall be located in the Mining Engineering Building of the State University at Lexington, where adequate offices shall be furnished it on account of the mutual problems the department may have with the Mining Department of the University, also the facilities of the Mining Laboratory. The Chief of the Department of Mines and Minerals shall have the necessary engineering, stenographic and clerical assistance to properly and efficiently carry out the duties of his office. The offices of the respective district inspectors shall be at such places within their districts as the Chief of the Department of Mines and Minerals may designate and they shall be allowed office rent not to exceed twenty dollars ($20.00) a month in the discretion of the Chief of the Department of Mines and Minerals.

§ 7. *Duties of the Chief of the Department of Mines and Minerals.*—Said Chief of the Department of Mines and Minerals shall have full authority over said department and he

shall superintend and direct the activities of the various inspectors and other personnel of the department. He shall have authority to divide the coal fields of the state from time to time into such number of inspection districts as may be necessary to accord with the number of inspectors in such manner as to equalize as nearly as practicable the work of each inspector and to assign to the inspectors their appropriate districts. Whenever the Chief of the Department of Mines and Minerals may deem it necessary in the interest of efficient supervision of the mines to temporarily employ the services of two or more inspectors or whenever he may deem it desirable in the interest of efficient inspection to change inspectors from one district to another he shall have the authority to do so. He shall superintend and direct the inspection of mines as herein provided and he shall cause to be investigated the character and quality of air in mines whenever conditions indicate the necessity of so doing; he shall collect statistics relating to coal mining within the state each year and make report of same; see that maps, plans, projections and proposed developments of all coal mines are made and filed in his office, subject to his approval, according to the provisions of this act; keep a record of all inspections made by himself and the different members of the department, which shall be a permanent record properly indexed and he shall perform all other duties elsewhere in this act assigned to him. He shall also have general supervision of the training of officials and workmen in safety and first aid and mine rescue methods and the conducting of demonstrations in safety when deemed advisable by him to do so; also the dissemination of information among officials and employees concerning mine ventilation, mining methods and mine accidents and their prevention, assume full charge in the event of mine fire or explosion or other serious accident at any mine within the state. He may, in his discretion, assist in the resumption of operations of any mine or gather data for the development of any coal seams that would be of

any benefit to the state or create employment for persons not already employed.

§ 8. *Stationery, Postage, Etc.*—The Chief of the Department of Mines and Minerals and the various inspectors shall be provided with all necessary stationery and postage for the conduct of official correspondence as other state officers are supplied. The Chief of the Department of Mines and Minerals shall be supplied with all printed blank forms, notices and other printed matter necessary for use in the performance of his duties, upon his requisition therefor through the Superintendent of Public Printing.

§ 9. There shall be provided for the Chief of the Department of Mines and Minerals and all inspectors such instruments, appliances, apparatus, chemicals, and vehicles as are necessary for the proper discharge of his official duties, which shall be paid for on the order of the Chief of the Department of Mines and Minerals and which shall belong to the state. The cost of repairs to such instruments, apparatus and vehicles as may be necessary from time to time shall be paid for by the inspector having such repairs made, and be included in his account of expenses incurred on account of official duties and paid as they are paid.

§ 10. *Chief of the Department of Mines and Minerals Shall Furnish Certified Copy of Inspection Report.*—The Chief of the Department of Mines and Minerals shall furnish to any person a certified copy of the report of inspection of any mine inspected by himself or by a district inspector, when ordered to do so by any circuit court judge, which copy shall be admissable in evidence in any court in this Commonwealth, and shall be *prima facie* evidence of the truth of the recitals therein contained.

§ 11. *Annual Report of the Department of Mines and Minerals.*—The Chief of the Department of Mines and Minerals shall annually make report to the Governor of the Commonwealth his proceedings for and during the calendar year ending on the thirty-first day of December. Said annual re-

port shall be prepared and printed within four months and as much earlier as possible after the close of the calendar year. Said annual report shall list the complete operation of the coal mines in this state, enumerating all accidents which have occurred in or about the same, and giving such other information as said Chief of the Department of Mines and Minerals may deem useful, and making such suggestions as he may deem important as to further legislation on the subject of mining.

§ 12. *Operator's Monthly Report.*—For the purpose of enabling the Chief of the Department of Mines and Minerals to keep records and make reports as is required by this act, the owner, lessee or superintendent of every mine to which this law applies is hereby required to give, each month, accurate information on blanks to be furnished by the Chief of the Department of Mines and Minerals as to all accidents that have occurred; number of persons employed; amount of coal mined; and such other information not of a private nature as the Chief of the Department of Mines and Minerals may request.

§ 13. *Operator's Annual Report.*—The owner, lessee, or superintendent of each mine to which this law applies shall also be required to give at the end of each calendar year ending December thirty-first accurate information on blanks to be furnished by the Chief of the Department of Mines and Minerals, as to the number of accidents that have occurred, the number of persons employed, the tons of coal mined at such mine, and such other information not of a private nature as the Chief of the Department of Mines and Minerals may request.

§ 14. *Mine Rescue Divisions.*—The Chief of the Department of Mines and Minerals is hereby authorized and directed to partition the coal fields of the state into divisions which shall be known as mine rescue divisions of which there shall be not less than two in the western coal field and not less than four in the eastern coal field. In each division there shall be

a station, the location of which shall be determined by the Chief of the Department of the Mines and Minerals, at which station shall be kept apparatus, appliances and supplies for use in the work of rescue and relief upon the occurrence of explosions or mine fires, and for the training of officials and miners in such work.

The Chief of the Department of Mines and Minerals is hereby directed to provide each station, as it shall be located, and himself with such instruments, appliances, apparatus, chemicals, and trucks as may be necessary and he shall designate one of his district inspectors to have charge of each station.

The supplies and repairs necessary for the instruments, appliances, apparatus, chemicals, and trucks and other equipment shall be purchased by the Chief of the Department of Mines and Minerals as needed from time to time and paid for as other expenses are paid, on the order of said Chief of the Department of Mines and Minerals.

§ 15. *Governor to appoint District Inspectors and Inspectors of Mine Weights; Also Their Qualifications.*—The Governor shall appoint not exceeding ten district mine inspectors and not exceeding four inspectors of mine weights. All said district mine inspectors and inspectors of mine weights shall have a thorough knowledge of first aid and mine rescue and shall be able to instruct in first aid and mine rescue and shall have a thorough knowledge of the different systems of ventilating, timbering and working coal mines and of the nature, chemistry and properties of noxious and poisonous gases, also of explosive gases. Also the danger due to such gases and the prevention thereof, the dangers incident to blasting and the prevention thereof, the dangers incident prevention of explosions in mines due to gas or dust; also methods for the management or extinguishing of mine fires and methods for rescue and relief work in mine disasters; also the application of electricity in mining operations; also of the mechanical features of mine scales and the proper

method of inspecting and testing same; and shall have a thorough and practical knowledge of mining gained by at least ten (10) years experience at and in coal mines, at least five (5) years of which must have been in and about the mines in this state. Said district inspectors and inspectors of mine weights shall not, while holding office, act in any official capacity in operating any coal mine and he shall be of good moral character and temperate habits. Said distirct mine inspectors and inspectors of mine weights shall serve for a term of four years, subject to removal by the Governor at his pleasure, and whose salaries shall not be less than $2,400.00 dollars nor more than $2,700.00 dollars per annum, payable monthly and shall likewise be allowed and paid their necessary traveling and other expenses incurred on account of and when engaged in the discharge of their official duties. Said salaries to be determined by the Chief of the Department of Mines and Minerals and approved by the Governor and based on ability and experience of the inspector. Said district inspectors and inspectors of mine weights before entering upon the discharge of their duties, shall be sworn to discharge those duties faithfully and impartially and to the best of their skill and ability, which oath shall be certified by the officer administering it and said oath, in writing, and certificate shall be filed in the office of the Secretary of State, each of said district inspectors and inspectors of mine weights shall give bond in the penal sum of one thousand dollars ($1,000.00) with surety to be approved by the Governor for the faithful discharge of his official duties.

§ 16. *Certification of District Mine Inspectors.*—Before any person shall be appointed to the office of district mine inspector, he shall be required to pass a satisfactory examination before the Board of Examiners hereinafter in this act provided for. The Chief of the Department of Mines and Minerals is hereby authorized to recommend to the Governor of the state applicants for district mine inspector who

have successfully passed such examination and who are proved by worth, training and experience to be the most competent of such applicants.

§ 17. *Duties of District Mine Inspectors.*—Each of said district inspectors shall give his entire time and attention to the duties of his office which shall consist of the inspection of coal mines, and of aiding under the direction of the Chief of the Department of Mines and Minerals, in carrying out and enforcing the provisions of the laws relating to the inspection of such mines; also of training officials and workmen in and about the mines in first aid and mine rescue methods; also of advising officials and workmen in methods pertaining to safety in all its phases; also in methods pertaining to mine fires and explosions; also of taking charge of mine rescue and recovery work when mine fires, mine explosions, and other serious accidents occur within their districts, in the event the Chief of the Department of Mines and Minerals should not be present; also to assist in such work in other districts when so directed by the Chief of the Department of Mines and Minerals; also to reopen mines or portions of mines that have been sealed on account of fire or any other cause, when called upon by the owner or operator and when directed by the Chief of the Department of Mines and Minerals so to do.

§ 18. *Reports of the District Inspectors.*—Each district inspector shall report in writing weekly to the Chief of the Department of Mines and Minerals the number and conditions of all mines inspected by him each week, and he shall deliver to the operator or superintendent of each mine inspected a statement in writing showing the inspection of such mine, and the condition thereof as found upon such inspection. He shall also, within fifteen days after the close of each calendar year, file with the Chief of the Department of Mines and Minerals a report of his proceedings during said calendar year and give such information concerning the mines and mining conditions in his district as may be appropriate and required by the Chief of the Department of Mines and Min-

erals. He shall visit each mine in his district at least once every three months, or oftener if practicable to do so, and make a personal examination of the interior of each mine with respect to ventilation, drainage, timbering, blasting, electricity and general security as well as the outside of the mine, where any danger to the workmen may exist, and he shall see that all provisions of this act are strictly carried out.

§ 19. *Ventilation of Mines.*—Should the district inspector discover any room, entry, airway or other working places being driven in advance of the air currents contrary to the requirements of this act, he shall notify the mine foreman to cease work in such places at once until the law is complied with.

The ventilation of all coal mines at which as many as five men are employed shall be produced by means of fans mechanically operated, located outside the mine. Mines at which less than five men are employed shall be ventilated by means approved by the Department of Mines and Minerals. Provided, however, that when inside fans are required to ventilate working places on longwall or other modern systems of mining, the Chief of the Department of Mines and Minerals must first approve such installation.

In cases of accident to the ventilating fan, or its machinery whereby the ventilation of the mine would be seriously interrupted, the mine foreman shall order the men to withdraw immediately from the mine, and he shall not allow them to return to their work until the ventilation has been restored and the mine has been thoroughly examined by him, or by an assistant mine foreman or fire boss, and the mine is reported safe.

Any operator or superintendent of a coal mine before making any new or additional openings, from the outside, shall submit to the Chief of the Department of Mines and Minerals, for his information and approval, a map or plan showing the proposed system of mining the coal seam and the proposed system of ventilation and equipment of the open-

ings with their locations and relative positions to adjacent developments. In order that the records of the Department of Mines and Minerals be complete as to all operating mines the operator or superintendent of a coal mine who has not previous to the passage of this Act submitted to the Chief of the Department of Mines and Minerals a map or plan showing the proposed system of mining and the proposed system of ventilation and equipment of the openings with their locations and relative positions to adjacent developments, shall for his information and approval submit a map or plan forthwith; and no such new or additional openings shall be made until approved by the Chief of the Department of Mines and Minerals.

The operator, superintendent or mine foreman of every coal mine, whether worked by shaft, slope or drift, shall provide and hereafter maintain for every such mine adequate ventilation affording no less than one hundred cubic feet of air per minute for each and every person employed in the portion of the mine affected thereby and two hundred cubic feet of air for each animal working in the part of such mine affected thereby, which shall be circulated around the main headings and cross headings and room headings and working places to an extent that will dilute, render harmless and carry off any noxious and dangerous gases therein. As working places advance, break throughs for air shall be made sixty feet apart, except where companies now are permitted to drive with the approval of the District Inspector and the Chief of the Department of Mines and Minerals to ninety feet before turning break throughs. Provided, however, where longwall or modern systems of mining are employed the Chief of the Department of Mines and Minerals shall have the authority to approve, at his discretion, a greater distance between break throughs or the method of properly ventilating such longwall or modern systems of mining. All break throughs between the intake and return airways not required for the passage of air shall be closed with stoppings substan-

tially built with suitable material, which shall be approved by the district inspector, so as to keep working places well ventilated.

As many as sixty persons shall be permitted to work in the same air current or split, provided however, that with the approval of the district inspector and the Chief of the Department of Mines and Minerals, as many as eighty persons may be permitted to work in the same air current, or split.

No operator, superintendent or mine foreman shall permit any persons to work where they are unable to maintain a sufficient amount of ventilation, but this shall not be construed to prohibit the operator from employing men to make the places of employment safe to comply with this requirement; provided, further, that while the repair work necessary to get the mine in condition to comply with the law is in progress, no person or persons shall be permitted to enter that part of the mine affected except those actually employed in doing the necessary repair work, said repair work to be done under the constant supervision of an official designated by the mine foreman.

No product of petroleum, or alcohol or any compound that in the opinion of the inspector will contaminate the air to such an extent as to be injurious to the health of the miner shall be used as motive power in any mine.

In all mines liberating explosive gas the minimum ventilation shall be one hundred and fifty cubic feet of air per minute for each and every person employed therein, and three hundred cubic feet of air per mniute for each animal worked therein, and as much more as the district inspector may deem requisite, and all stoppings shall be substantially built of suitable material subject to the approval of the district inspector so as to keep the working places well ventilated; doors on main haulways shall be avoided in gaseous mines where practicable, and over casts built of concrete, or other suitable material and of ample strength shall be adopted, and where doors

are used they must be built in a substantial manner and hung so as to close automatically when unobstructed.

All unused workings and abandoned parts of the mines must be protected by such safe guards as will prevent, so far as practicable the accumulation or overflow of gas therein, and all avenues leading thereto shall be so arranged and conducted as to give cautionary notice to all persons of the danger in entering therein; and in order to secure safety of the workmen in general against the danger in said unused or abandoned section of the mine, notice shall be posted warning all persons not to enter such parts of said mine, except persons authorized to make examination of such sections and it shall be unlawful for any person, except as aforesaid, to enter such parts of said mine.

§ 20. *Accumulation of Coal Dust.*—In all mines accumulations of fine dry coal dust shall, as far as practicable, be removed from the mine and all dry and dusty operating sections kept thoroughly watered or rock dusted or dust allayed by such other methods as may be approved by the Chief of the Department of Mines and Minerals.

§ 21. *Shafts, Slopes and Drifts.*—It shall not be lawful for the operator, superintendent, or mine foreman of any coal mine, whether worked by shaft, slope or drift, to permit persons to work therein unless there are to every seam of coal worked in such mine at least two separate outlets, separated by a natural strata of not less than one hundred feet in breadth if the mine be worked by shaft or slope, and separated by natural strata of not less than fifty feet in breadth if the mine be worked by drift—by which outlets distinct means of ingress and egress are readily available to persons employed in such mine; but it shall not be necessary for the two outlets to belong to the same mine.

The foregoing requirements shall not apply to the openings of a new entry of a mine is being worked for the purpose of making connection between said two outlets so long as not more than four persons are employed at one time in

making the connection or driving the second opening; nor shall said requirements apply to any mine in which the second opening has been rendered unavailable by reason of final robbing or removal of pillars so long as not more than twenty persons are employed therein at one time.

In case any coal mine has but one shaft, slope, or drift for ingress and egress of the persons employed therein, and the owner threof does not own suitable ground for another opening, such owner may select appropriate associate adjacent ground for that purpose and have the same condemned and apporpriate the same by proceedings in the county court of the county wherein the mine is situated similar to proceedings now allowed for securing a private passway.

In every shaft used as an escape outlet there shall be provided a stairway or ladderway of suitable strength, design, and angle, which shall be provided with platforms or landings at each turn of the stairway or ladderway, the whole to be subject to the approval of the district inspector and the Chief of the Department of Mines and Minerals, or in lieu of such stairway or ladderway there shall be provided a properly equipped hoisting arrangement, consisting of a cage suitable for hoisting men, a wire hoisting rope of ample strength, and an adequate and safe hoisting engine and drum, which hoisting arrangement shall be ready for use at any time of emergency. When the escape and fan shafts are combined, the side or end used for an escape outlet and the part used for ventilating purposes shall be separated by a good, substantial air-tight partition from top to botton, so that the use of the escape shaft shall not in any way interfere with the ventilation of the mine. All shafts by which men enter or leave the mine and the passageways to escape outlets shall be carefully examined by the mine foreman, or by a person designated by him, at least once each week that the mine may be operating, and the date and findings of such examination shall be entered in a book kept at the mine for that purpose. No debris, such as falls of slate and similar material, which shall act as an

obstruction to the free passage of men, shall be allowed to accumulate in the passageway to the escape outlet, nor shall bodies of water difficult to pass be allowed to accumulate there, nor shall the passage way be obstructed by mine cars or timbers. If obstructions of any sort to the free passage of men be found, such obstructions shall be promptly removed. At points where the passage way to the escape outlet is intersected by roadways or entries calculated to produce doubt as to the proper direction to the outlet, conspicuous signboards shall be placed indicating the direction it is necessary to take to reach the exit for escape.

At every mine operated by shaft, there shall be provided an approved safety catch, and a sufficient and substantial cover overhead on all cages used for lowering or hoisting persons, and at the top of each shaft a safety gate shall be provided. An adequate brake, so adjusted that it may be operated by the engineer without leaving his post at the levers, shall be attached to every drum or equivalent machine used for the lowering or raising persons at all shafts or slopes, and an efficient indicator or dial shall be used in connection with the hoisting engine which will show the engineer the positions of the cages in the shaft at any time; and approved means for signaling to the bottom man, the top man, and engineer shall be provided and all shafts used for lowering or hoisting men shall be equipped with metal tubes, pipes, or telephone, through which conversations may be freely held between persons at the bottom and top landings. No cages on which men are riding shall be lifted or lowered at a rate of speed greater than six hundred feet per minute. The hoisting rope, the safety catches and the cage attachments shall be examined by the mine foreman or some competent person designated by him, every morning before the men descend into the mine; and care shall be taken to keep them in good working condition at all times. All persons are prohibited from riding on cages when coal or slate or similar material is being raised, and no person shall enter a cage at the bottom to be raised to

the top during the running hours of the mine, or when leaving work at the close of the day's run, without first being authorized by the bottom-man or cager to do so, said bottom-man or cager having first signaled to the engineer that men are to be raised. At every underground landing where persons enter or leave the cage and where persons must pass from one side of the shaft to the other there shall be a passageway not less than three feet wide and of suitable height, kept free from obstruction, and as dry as possible, around the shaft; and all employees when passing from one side of the shaft to the other side shall use passageway only. Whenever the hoisting or lowering of men occurs before daylight or after dark, and when the landing at which men take or leave the cage is obscured by steam or otherwise, there shall be maintained at each landing a light sufficient to show the landing and objects in immediate proxmity thereto, and as long as men are underground a good light shall be maintained at the bottom of the shaft, so that persons coming to the bottom may discern the cage and objects in the vicinity thereof.

§ 22. *Checking employees in and Out of Mine.*—The operator or Superintendent of every mine shall install a uniform system of checking the employees in and out of the mine, whereby each employee upon entering the mine shall be given a check by which he shall be identified, and which check shall be placed in its proper place on the check board by the employee when leaving the mine.

§ 23. *Shaft, Slope or Incline.*—No operator or superintendent of any coal mine worked by shaft, slope or incline shall place in charge of any engine or drum used for lowering or hoisting any persons employed in such mine any but competent and sober engineers or drum runners; and no engineer in charge of such machinery shall allow any person except such as may be designated for this purpose by the operator or superintendent to interfere with any part of the machinery; and no person shall interfere with or intimidate the engineer or drum runner in the discharge of his duties

and in no case where the mine is operated or worked by shaft slope or incline shall more than ten persons ride in any cage or car at one time, without the approval of the district inspector and the Chief of the Department of Mines and Minerals having first been obtained, and no person shall ride on a loaded cage or car in any shaft or slope or on any incline. Provided however, where special man cars or cages are employed to haul workmen on inclines the Chief of the Department of Mines and Minerals shall have the authority to regulate the method and procedure of said handling of man cars or workmen.

§ 24. *First Aid Equipment.*—In every mine where fifty or a less number of men are employed underground, it shall be the duty of the operator thereof to keep always on hand at the mine one properly constructed stretcher, one woolen and waterproof blanket, and all necessary requisites which may be advised by the Department of Mines and Minerals and for each additional fifty men so employed, one additional stretcher and equipment as above specified shall be furnished.

§ 25. *Scope of Inspection, Etc.*—The operator or superintendent of every coal mine shall furnish the inspector proper facilities for entering such mine and making examinations or obtaining information; and if any inspector shall discover that any mine does not in respect to appliances for the safety of the persons employed therein conform to the provisions of this act, or that by reason of any defect or practice in or at or about such mine the lives or health of persons employed therein, are endangered, he shall immediately, orally and in writing, notify such operator or superintendent thereof, stating in such notice the particulars in which he considers such mine to be defective or dangerous and if he deems it necessary for the protection of the lives and health of the persons employed in such mine he shall, after giving notice to the said operator or superintendent, in writing, notify immediately the Chief of the Department of Mines and Minerals.

The Chief of the Department of Mines and Minerals shall

forthwith summons the operator, superintendent, and the district inspector to discuss at the mine the unsafe practices, defects, or unhealthful conditions in the mine and if the Chief of the Department of Mines and Minerals determines that for the safety of the persons employed in said mine the mine should be closed, he shall forthwith order the mine to be closed until it is placed in a safe and proper condition for mining operations; the owner or operator of any mine so closed may apply to the circuit court wherein such mine is located, or the judge thereof in vacation, by petition for an order directing said mine to be re-opened, and such court, or the judge thereof in vacation, shall immediately hear and determine the matters arising upon such petition, and if upon full hearing thereof the court, or the judge thereof in vacation shall find that said mine is in a reasonable safe condition the prayer of said petition shall be granted; but notice of said hearing shall be given to the district mine inspector and the Chief of the Department of Mines and Minerals three days at the least before said hearing; and in all such hearings the Attorney General, the Commonwealth's Attorney, or the County Attorney of the District or County in which the mine is situated, shall appear for the state and defend the same.

§ 26. *Approved Closed Lights, When to be Used.*—In any mine or sections of mines liberating explosive gas where the lives of the persons employed therein may be endangered, by the liberating of said explosive gas the district inspector with the approval of the Chief of the Department of Mines and Minerals may direct the operator, or superintendent of any mine or mines to work said mine or mines exclusively by the use of approved safety lamps and approved electric lamps. The operator or superintendent of said mine or mines shall forthwith carry out the recommendations of the district mine inspector when so approved by the Chief of the Department of Mines and Minerals.

In mines where flame safety lamps and approved electric lamps are required to be used for working therein, the lamps

shall be in charge of some person to be designated by the operator or superintendent; and at least two additional flame safety lamps shall be kept at every coal mine whether such mine liberates explosive gas or not. If deemed advisable by the district inspector and the Chief of the Department of Mines and Minerals all mine foremen and fire bosses employed in gaseous mines shall, at all times, carry an approved flame safety lamp for the purpose of detecting the presence of explosive gas, said lamp to be kept lighted at all times when in use inside the mines.

In mines where approved safety lamps and approved electric lamps are used, no miner, workman, or other person shall at any time enter any mine or carry therein any intoxicating liquors, matches, pipes, cigars, cigarettes, or any device for making lights or fire not authorized or approved; and in all such mines the operator shall, at frequent intervals, search or cause to be searched, any person entering or about to enter any mine, to prevent such persons from taking or carrying therein any of the above mentioned articles, and no person shall be permitted to enter any mine while under the influence of intoxicating liquors.

§ 27. *In Event Explosion, Fire or Accident Occurs.*— Whenever by reason of any fire, explosion or other accident in any coal mine, or the machinery connected therewith, loss of life or serious personal injury shall occur, it shall be the duty of the superintendent of the mine, and in his absence, the mine foreman in charge of the mine to give notice forthwith to the inspector of the district stating the particulars of such accident; and if any one is killed thereby, to the Chief of the Department of Mines and Minerals; and the said inspector shall immediately go to the scene of such accident and make such investigation and such suggestions and render such assistance as he may deem necessary for the future safety of the men and investigate the cause, of such fire, explosion or accident and make a record thereof which he shall forward to the Chief of the Department of Mines and Minerals, the

same to be preserved with the other records of his office; and to enable him to make such investigations, the Chief of the Department of Mines and Minerals or the district inspector shall have the power to compel the attendance of witnesses, and to administer oaths and affirmation.

§ 28. *Abandoned Mines.*—No person or persons shall attempt to enter, explore or survey an abandoned mine or portion thereof without the approval of the inspector of the district in which the mine is located or the Chief of the Department of Mines and Minerals.

§ 29. *Underground Stable.*—No operator, superintendent or mine foreman shall provide a horse or mule stable inside of any mine, unless it be approved in writing by the Chief of the Department of Mines and Minerals.

§ 30. *Steam Locomotive.*—No steam locomotive shall be used in any mine in this state unless it be approved in writing by the Chief of the Department of Mines and Minerals.

§ 31. *Explosives, Magazines; Where to be Located.*—All distributing explosives magazines used for quantities of explosives estimated as a daily supply shall be located not less than one hundred feet from any mine opening or building used or occupied by any person or persons; and the outside construction of such magazines shall be of non-combustible material.

All magazines used for storing powder or other explosives in greater quantities than an estimated daily supply shall be located not less than five hundred feet from any mine opening or building used or occupied by any person or persons; and the outside construction of such magazines shall be of non-combustible material, provided however, this shall not apply to distributing or storage magazines already constructed prior to the passage of this act.

Where Cardox or other explosives of a similar nature are manufactured at or near the mine, the Chief of the Department of Mines and Minerals shall have the authority to prescribe the location and procedure of such installation.

§ 32. *First Aid Training.*—It shall be the duty of each and every coal operator in this state to see that all employees receive the necessary first aid training for the safety of themselves and fellow-workmen as recommended by the State Department of Mines and Minerals. It shall be the duty of each employee to receive the necessary training.

§ 33. *Electricity in Mines.*—On all haulage roads, landings and partings, where men are required to regularly work or pass under trolley or other bare power wires which are placed less than six and one-half feet above top of rail, a suitable protection shall be provided. This protection shall consist of channeling the roof, placing boards along the wires, which shall extend below it, or the use of other approved devices that afford protection.

All machine feed wires shall be placed on glass or porcelain insulators which shall be so placed as to prevent the wires coming in contact with the coal.

When machine or feed wires are carried in same entry as trolley wire, they shall be placed on the same side as the trolley wire, between trolley wire and rib and protected from contact therewith, and positive feed wires crossing places where persons or animals are required to travel, shall be safely guarded or protected from such persons or animals coming in contact therewith, as provided in this section.

All trolley and positive feed wires shall be placed on opposite sides of track from refuge holes or necks of room, when so ordered by the Department of Mines and Minerals, and wires may be placed across the necks of rooms when protected as provided for in this section. Switches or circuit-breakers shall be provided to control the current at the mine, and all important sections in the mine.

All power wires and cables in hoisting shafts or manway compartments shall be properly insulated, substantially fixed and well protected.

§ 34. *Locomotives in Gaseous Mines.*—In gaseous mines

the Chief of the Department of Mines and Minerals may designate where flame-proof electric locomotives shall be used.

§ 35. *Electric Coal Cutting Machines.*—In gaseous mines the Chief of the Department of Mines and Minerals may designate where flame-proof electric coal cutting machines shall be used.

No man shall be placed in charge of a coal-cutting machine in any gastous mine or gaseous portion of a mine who is not a competent person, capable of determining the safety of the roof and the sides of the working places and detecting the presence of explosive gas. Machine runners shall be compelled to undergo an examination to determine their fitness to detect explosive gas before they are permitted to have charge of machines in mines liberating gas, unless they be accompanied by a certified fire boss, or a machine runner or helper having passed such an examination. Said examination to be given by the mine foreman and approved by the District Inspector, blank forms for same to be furnished by the Department of Mines and Minerals, a copy to be retained on file at the mine office and the original to be sent to the State Department of Mines and Minerals fully made out and signed by the machine runner and the mine foreman and approved by the District Inspector.

In any gaseous portion of a mine, a coal cutting machine shall not be brought within the last break through next the working face, until the machine man shall have made an inspection for gas in the place where the machine is to work, unless such examination is then made by some other competent person authorized and appointed for that purpose by the mine foreman. If any explosive gas is found in the place the machine shall not be taken in until the gas is removed.

In working places where gas is likely to be encountered, a safety lamp, or other suitable approved apparatus for the detection of fire damp, shall be provided for use with each machine when working, and should any indication of fire damp appear on the flame of the safety lamp, or other apparatus

used for the detection of fire damp, the person in charge shall immediately stop the machine, cut off the current at the nearest switch, and report the matter to the mine foreman, or fire boss, and the machine shall not again be started in such place until the mine foreman, fire boss, or a person duly authorized by either has examined it and pronounced it safe. All coal-cutting machines in mines where fire damp is detected, shall be provided with a box specially designed for carrying safety lamps for the protection of such lamps.

No coal cutting machine shall be operated in a gaseous portion of a mine for a longer period than ten minutes without an examination as above described being made for gas, and if gas is found, the current shall at once be switched off the machine, and the trailing cable shall forthwith be disconnected from the power supply.

§ 36. *Fire Boss and His Duties.*—In all gaseous mines as defined in this Act the operator or superintendent shall employ a fire boss or fire bosses, whose competency to act as such shall be evidenced by a certificate of qualification from the Board of Examiners as provided in this Act. It shall be the duty of the fire boss to examine carefully, before each shift enters the mine, every working place without exception, all places adjacent to live workings, every roadway, every unfenced road to abandoned workings, and falls in the mine; but before proceeding with the examination he shall see that the air current is traveling its proper course. In making the examination he shall use no light other than that inclosed in an approved safety lamp. The fire boss shall examine for all dangers in all portions of the mine under his charge, and after examination he shall leave at the face of every place examined the date of the examination, as evidence that he has performed his duty. He shall also examine the entrance or entrances to all worked-out and abandoned portions adjacent to the roadways and working places under his charge where explosive gas is likely to accumulate, and he shall place a danger signal across the entrance to every working place and every

other place where explosive gas is discovered or where immediate danger is found to exist from any other cause, and said signal shall be sufficient warning for persons not to enter.

A suitable record book shall be kept at the mine office of every mine wherein fire bosses are employed, and immediately after the examination of such mine or any portion thereof, by a fire boss, whose duty it is to make such examination, he shall enter in said book with ink or indelible pencil, a record of such examination, and sign same. This record shall show the time taken in making the examination, and also clearly state the nature and location of any danger that may have been discovered in any room or entry or other place in the mine. If any danger or damages has or have been discovered, the fire bosses shall immediately report the location thereof to the mine foreman, or in his absence to the assistant mine foreman in charge, who in turn shall report to the mine foreman. No person shall enter the mine until the fire bosses return to the mine office, or to a station located in the intake entry of the mine (where a record book as provided for in this Section shall be kept and signed by the person making the examination) and report to the mine foreman or the assistant mine foreman, by telephone or otherwise, that the mine is in safe condition for the men to enter. When a station is located in any mine it shall be the duty of the fire bosses to sign also the report entered in the record book in the mine office on the surface. The record books of the fire bosses shall at all times during working hours be accessible to the District Inspector.

The mine foreman and the fire boss shall at or near the main entrance to the mine, provide a permanent station with a proper danger signal designated by suitable letters and colors placed thereon. In every mine in which fire bosses are required to be employed by this Act, when the working portions are one mile or more from the entrance to the mine or from the bottom of the shaft or slope, a station of suitable dimensions may be erected by the mine foreman (provided the

location is approved by the District Inspector) for the use of the fire bosses. It shall not be lawful for any person, except the mine foreman, and in case of necessity such other persons as may be designated by him, to pass beyond said station and danger signal until the mine has been examined by a fire boss, as provided in this Section, and the mine or certain portions thereof reported by him to be safe. The fire boss shall not allow any other person or persons to enter or remain in any portion of the mine through which a dangerous accumulation of gas is being passed into the ventilating current from any portion of the mine. He shall report any violation of this section to the mine foreman at once.

Any employee or other person, except those herein above provided for, who passes any danger signal into the mine, or into any portion of the mine, or removes such danger signal before the mine has been examined and reported to be safe, or any employee or any other person who passes any danger signal placed at the entrance to a working place, or any other place in the mine, or remove such danger signal without permission from the mine foreman, the assistant mine foreman, or the fire boss shall be deemed guilty of a misdemeanor, and it shall be the duty of the mine foreman having knowledge of such violation (whether obtained personally or otherwise) to notify the operator or superintendent at once of such violation, who shall in turn notify the District Inspector, in writing, and the District Inspector shall forthwith institute proceedings against such person or persons as provided for in this Act.

Any fire boss who neglects to comply with the provisions of this Act relating to his duties, or who shall make a false report of the condition of any place in the portion of the mine allotted to him for examination, shall be deemed guilty of a misdemeanor, and shall be suspended by the mine foreman and his name shall be given to the District Inspector for prosecution. If he be found guilty he shall return his certificate

of qualification as fire boss to the Department of Mines and Minerals.

Nothing in this Article shall prevent a mine foreman holding a certificate of the first class from acting as fire boss, or a regularly employed fire boss from acting in an emergency as a mine foreman holding such first class certificate.

§ 37. *Shot Firers.*—In any coal mine in this state wherein the operator may choose to employ practical and experienced persons as shot firers to prepare the cartridge and set off and discharge the shots he may do so.

Provided, however, in gaseous mines the Department of Mines and Minerals may require the operator to employ practical and experienced persons as shot firers and the Department of Mines and Minerals may prescribe the conditions under which blasting may be carried on and the kind of explosives that shall be used.

§ 38. *Solid Shooting.*—In any mine in which solid shooting is done the District Inspector is authorized to prescribe the condition under which solid shooting may be done.

§ 39. *Some Duties of Operator or Superintendent; Mine Supplies.*—It shall be the duty of every superintendent, on behalf and at the expense of the operator, to keep on hand at or within convenient distance of each mine at all times a sufficient quantity of all materials and supplies required to preserve the safety of the employees, as ordered by the mine foreman and required by this Act. If for any reason the superintendent cannot procure the necessary materials or supplies as aforesaid, he shall at once notify the mine foreman, whose duty it shall be to withdraw the men from the mine, or the portion thereof operated, until such material or supplies are received. The superintendent shall, at least once every week, read and examine carefully and countersign all reports entered in the mine record book of the mine foreman.

The operator or superintendent shall co-operate with the mine foreman and other officials in the fulfillment of their duties as required by this Act, and he shall direct that the

mine foreman and all other employees under him comply with the law in all its provisions, especially when his attention is called by the District Inspector or the Chief of the Department of Mines and Minerals to any violations of the laws.

The superintendent shall keep on hand at the mime a supply of the printed rules and notices and record books required by this Act, which record books shall be furnished through the District Inspector or through the Chief of the Department of Mines and Minerals, on request of the operator or superintendent in writing. He shall see that said rules and notices and record books are delivered to the proper persons at the mine, and that they are properly cared for, and he shall also see that the rules and notices are posted in conspicuous places at or near the entrance to the mine and kept in such condition that they will always be legible.

The operator or superintendent of every mine shall at least ten days preceding send to the Chief of the Department of Mines and Minerals notices of the following occurrences:

First—When a mine is about to be abandoned.

Second—When the working of a mine is to be resumed after an abandonment or a discontinuance for a period exceeding two months. Said mine shall be inspected and meet the approval of the Department of Mines and Minerals before operations begin.

Third—When any change occurs in the name of a mine, or in the name of the operator of a mine, under the provisions of this Act.

§ 40. *Mine Foreman and His Duties.*—In order to better secure the proper ventilation of every coal mine, and promote the health and safety of persons employed therein the operator or superintendent shall employ a competent and practical inside overseer, to be called mine foreman, who shall be a male citizen and resident of this state, having had at least five years practical experience in the working, ventilation, and drainage of coal mines and who shall hold a certificate of competency for such position issued to him by the De-

partment of Mines and Minerals, after taking an examination held by the Department of Mines and Minerals under its rules and regulations for such examinations. When the mine workings become so extensive that the mine foreman is unable personally to carry out the requirements of this Act pertaining to his duties, the operator or superintendent shall employ a sufficient number of persons having had at least three years experience in coal mines to act as assistants to the mine foreman, who shall act under his instructions in carrying out the provisions of this Act. The mine foreman shall be responsible for their conduct in the discharge of their duties under such employment.

The duties of the mime foreman shall be to exercise general supervision over the ventilation, apparatus and the airways, traveling ways and working places, pumps and drainage, and shall see that as the miners advance their excavations proper break throughs are made as required by law to properly ventilate the mine. He shall also see that the workmen are provided with sufficient props, cap pieces, and timbers of suitable size, which shall be delivered to the working place when requisitioned by the workmen. He shall also see that the props are cut or sawed as square as practicable at both ends, and as near as practicable to the proper length required or designated for the places where they are to be used. The mine foreman shall see that the water is drained so near as practicable out of the working places, and that the working places are kept as free from water as practicable during working hours; and the owner, lessee, or operator of all mines to which this Act applies shall see that the water so drained or pumped from such mines shall be drained as directly as practicable to the adjacent streams or watercourses by means of ditches, flumes, pipes, sewers or other adequate provisions.

It shall be the duty of the mine foreman to see that the break throughs are made, as required by law; that the ventilation shall be conducted by means of said break throughs through the rooms by means of check doors or curtains placed

on the entries or other suitable places, and he shall not permit any room to be opened in advance of the ventilating current. The mine foreman shall measure the air current with an anemometer to be furnished by the operator at least once each month at the inlet and outlet and at or near the faces of the advanced headings, and shall keep a record of such measurements in a book furnished and having a form prescribed by the Chief of the Department of Mines and Minerals. Sign boards directing the way to outlets or escape way shall be conspicuously placed throughout the mine.

On single-track haulage roads in mines, where haulage is done by machines, which roads the persons employed in the mine must use while performing their work or while traveling on foot to and from their work, there shall be places of refuge on one side not less than three feet in depth from the side of the mine car, and four feet wide, and not more than sixty feet apart. On all haulage roads on which haulage is done by draft animals, whereon men are obliged to be in the performance of thier duties or when passing on foot to and from their work, there shall be places of refuge not less than thirty inches in depth from the side of the mine car, and four feet wide, and not more than sixty feet apart. Provided, however, that special refuge places shall not be required in haulways on which room necks or break throughs occur at regular intervals not exceeding sixty feet, and thus furnish places of refuge, or on haulways in which the track is so laid as to give a minimum clearance on one side of not less than thirty inches from the top of any haulage engine or any mine car, said clearance to be on the side of the haulway opposite that upon which electric wires are strung, in event any such wires be strung in the haulways. No person shall travel on foot to or from his work upon any slope used for haulage or upon any haulage road when other roads in proper condition for travel are available.

On all main haulways, where hauling is done by machinery of any kind, the mine foreman shall provide a proper

system of signals, and a conspicuous light on the front and a light or marker on the rear of every trip or train of cars when in motion in the mine.

It shall be the duty of the operator, superintendent, or mine foreman to have bore-holes kept not less than twelve feet in advance of the face, and, where necessary on the sides, if the working places that are being driven in dangerous proximity to an abandoned mine, or part of a mine suspected of containing inflammable gases, or which are filled with water. If there be a map of such abandoned mine, or part of mine, said bore-holes shall be started when the working places shall have approached within fifty feet of such abandoned mine, or part of mine, but if there be no such map, then said bore-holes shall be started when the advancing working places are within one hundred feet of where said abandoned workings are supposed to be.

It shall be the duty of the mine foreman, or the assistant mine foreman, of every coal mine in this state, to see that every person employed to work in such mine shall before beginning to work therein, be instructed in the particular danger incident to his work in such mine, and furnished a copy of the rules of such mine.

The mine foreman or his assistants shall visit and carefully examine each working place in the mine each day or oftener while the miners of such places are at work and shall direct said miners so that each and every working place shall be secured by props or timbers where necessary. Should the mine foremen or his assistants find a place to be in a dangerous condition, they shall not leave the place until it is made safe, or remove the persons working therein until the place is made safe by some competent persons designated for that purpose.

The mine foreman shall see that every mine liberating explosive gas is kept free of standing gas in all working places and roadways. Any accumulations of explosive gas or noxious gases in the worked-out or abandoned portions of

any mine shall be removed as soon as possible after its discovery. All places in live sections that are temporarily abandoned shall be examined as live workings by the fire boss on regular inspections. No person who may be endangered by the presence of said explosive gas or noxious gases shall be allowed in that portion of the mine until said gasses have been removed. The mine foreman shall direct and see that all dangerous places and the entrance or entrances to worked-out and abandoned places in all mines are properly fenced off across the openings, so that no person can enter, and that danger signals are posted upon said fencings to warn persons of existing danger.

Any mine in which explosive gas can be detected with a flame safety lamp shall require the services of a mine foreman of the first class. Any mine in which explosive gas is not present may employ the services of a mine foreman of the second class.

The mine foreman shall give prompt attention to the removal of all dangers reported to him by his assistants, the fire boss, or any other person working in the mine, and in case it is impracticable to remove the danger at once, he shall notify every person whose safety is menaced thereby to remain away from the portion where the dangerous condition exists. He or his assistants shall, at least once every week, travel and examine all the air courses, roads and openings that give access to old workings or falls, and make a record of the condition of all places where danger has been found, with ink, or indelible pencil, in the record book provided for that purpose.

The mine foreman shall notify, in writing, the operator or superintendent of the mine of his inability to comply with any of the requirements of these sections, and it shall then become the duty of any operator, or superintendent, to at once attend to the matter complained of by the mine foreman so as to enable him to comply with the provisions thereof. The mine foreman shall each day enter and sign plainly with

ink or indelible pencil, in a book provided for that purpose, a report of the condition of the mine, which report shall clearly state any danger that may come under his observation during the day, or any danger reported to him by his assistants or the fire bosses. The report shall also state whether or not there is a proper supply of material on hand for the safe working of the mine, and whether or not the requirements of the law are complied with.

The mine foreman shall, also each day, read carefully, and countersign with ink or indelible pencil, all reports entered into the record book of the fire bosses.

In case of death or resignation of a mine foreman, the superintendent or manager shall select a competent and certified man, if one be available; and if not, he may temporarily select any other competent man who may serve if approved by the District Inspector and the Chief of the Department of Mines and Minerals until the next examination. He shall, while acting as mine foreman be liable to the same penalty as the mine foreman for any violations of this Act.

It shall be the duty of the mine foreman to report immediately all violations of this act to the operator or superintendent, who shall in turn report such violations to the District Inspector for the district in which the mine is situated.

The certificate of the mine foreman may be canceled and revoked by the Board of Examiners, if it shall be established in the judgment of said Board that the holder thereof has become unworthy to hold said certificate by reason of violation of law, intemperate habits, incapacity, abuse of authority, willful negligence to comply with instructions to obey the requirements of the mining laws given by a district mine inspector or other cause; provided, that any person against whom charges are made shall have a right to appear before said Board and defend against such charges, and he shall have five days' notice in writing of such charges previous to such hearing.

§ 41. *Explosives.*—No minor or other employee shall

take into any mine in this state any larger quantity of powder or other explosive than he may reasonably expect to use in any one shift, and all explosives shall be carried into the mine in an insulated or non-conductive, canvas, wood-fibre or other approved receptacle of a capacity of not to exceed one shift's supply, which shall be properly closed with an approved top. All detonators or electric squibs shall be carried into the mine in non-conductive wood-fibre or other approved receptacles with approved top and of a capacity not to exceed one shift's supply. It shall be the duty of each miner to see that all explosives are separated from detonators, squibs or fuses by at least twelve feet in all working places.

No shots shall be fired in any place known to liberate explosive gas until such place has been properly examined by a competent person who is designated for that purpose, and no shots shall be fired in any place where gas is detected until said gas has been removed by means of ventilation. After firing any shot or shots no workmen shall return to the working place until the smoke has cleared away; and before starting to work he shall make a careful examination as to the condition of the roof, and do what is necessary to make the place safe before beginning to load coal, slate or refuse.

In no case shall more than one kind of explosive be used in the same drill hole except in strip mining operations and every blasting hole shall be tamped, full from the explosive to the mouth, and no coal dust or inflammable material shall be used for tamping. Where dynamite or keg powder is used the method and procedure shall be approved by the District Inspector and the Chief of the Department of Mines and Minerals.

When fuses are used, in no case shall fuses be used of less length than the drill hole.

No explosives or detonators shall be hauled on any trip operated by electric haulage motors, unless enclosed in non-conducting boxes, containers or cars approved by the District Inspector and the Chief of the Department of Mines and Min-

erals. Trips hauling explosives shall not carry workmen other than those operating the trip, and explosives shall not be hauled into or out of the mine within five minutes preceding or following any trips in which men are handled, and when traveling with the air current, the explosive trip shall precede; if against the air current, the man trip shall precede. Provided, however, should a more safe method or transporting and hauling explosives or detonators be made available after proper and sufficient tests and experiments, the Chief of the Department of Mines and Minerals shall have the authority to approve the methods to be used.

§ 42. Every miner shall thoroughly examine the roof and general conditions of his working place before commencing work therein and if he finds loose rock, slate or other dangerous conditions which he can remedy he shall take down such loose rock or slate or securely prop same and otherwise make his place safe before doing any other work therein. During the progress of his work each miner shall carefully watch his working place and if dangerous conditions develop he shall either make same safe or abandon the place until it is made safe. Provided, however, where the operator elects to do the timbering it shall be the duty of the miner to forsake his working place until the place has been made safe.

§ 43. No miner, workman or other person, shall knowingly injure any shaft, lamp, instrument, air course, or brattice or obstruct or throw open airways, or carry matches or open lights in the places worked with safety lamps or electric lamps or disturb any part of the machinery or appliances, open a door used for directing ventilation and not close it again, or enter any part of a mine against caution or disobey any order given in carrying out any of the provisions of this Act, or do any other Act whereby the life or health of any person employed in the mine or the security of the mine is endangered, or enter or be about any mine while intoxicated or under the influence of alcohol.

§ 44. *Maps and Plans.*—The operator or superintendent

of every coal mine in this state shall annually and begin not later than five days after the first day of January, make or cause to be made an accurate map or plan of the workings of such mine, on a scale of not more than one hundred, two hundred, three hundred or four hundred feet to the inch, showing the area mined and the forms of the excavations up to the said first day of January, together with the location and connection of the lines of all adjoining lands within one thousand feet of said excavations, and the name or names of each owner or owners, so far as known, marked on each tract; a true copy of which map the said operator or superintendent shall deposit with the Chief of the Department of Mines and Minerals within forty-five days after said first day of January, and another copy of which shall be kept at the office of such mine.

But after the making and filing with said Chief of the Department of Mines and Minerals of the map of the mine, as required herein, the operator or superintendent shall only be required to annually file with said Chief of the Department of Mines and Minerals, within the time herein specified, such additional map and statement as may be necessary to truly show the progress of the workings, the amount and forms of excavation of said mine, and so much of the property lines as may be within one thousand feet of said excavation as extended, from the date of the preceding map or survey up to the first day of January as provided herein. The Chief of the Department of Mines and Minerals shall annually, before the first day of January, give warning notice that said map is required. Provided however, that if for good reason the Chief of the Department of Mines and Minerals deems it advisable for any operator or superintendent to furnish a map or extension other than required in this section, the operator or superintendent shall do so forthwith. If the operator or superintendent of any coal mine shall fail or neglect to furnish to the Chief of the Department of Mines and Minerals any copy of the map or extension thereof as provided in this Act, the Chief of the Department of Mines and Minerals is

hereby authorized to cause a correct survey and map or plan of said mine or the extensions above indicated to be made at the expense of the owner, lessee, or operator of such mine, the cost of which shall be recoverable from said owner, lessee, or operator as other debts are recoverable by law; and if at any time the Chief of the Department of Mines and Minerals shall have reason to believe that such map or plan, or the extension thereof, furnished in pursuance of this Article is materially incorrect, such as will not serve the purpose for which it was intended, he may have survey and map or plan or the extension thereof made or corrected, and expense of making such survey and map or plan or extension thereof under the direction of said Chief of the Department of Mines and Minerals shall be paid by the owner, lessee, or operator of the mine, and the same may be collected as other debts are recoverable by law; but if the map, plan or extension as furnished by the operator or superintendent shall be found to be correct, the expense of said survey and drafting of map or plan shall be paid by the state. The correctness of each map or plan provided for by this Article shall be certified by the person making such map or plan, as follows:

I, the undersigned, hereby certify that this map is correct and shows all the information to the best of my knowledge and belief required by the mining laws of this state, and covers the peroid ending, .....

.....Engineer.

Acknowledged before me, a .....
this ..... day of .....

.....

.....

The Chief of the Department of Mines and Minerals may reject any map as incomplete the accuracy of which is not so attested. The Chief of the Department of Mines and Minerals shall, upon the application of any owner, lessee, or operator therefor, make or cause to be made a duplicate of any map on

file in his office of any mine owned, leased or operated by the owner, lessee, or operator making such application, but the cost of making such duplicate shall be paid by the applicant therefor. In no case shall any copy of such map be made without the consent of such owner, lessee, or operator, except that in any case where the owner or owners of any land adjacent or near to the land of the owner, lessee, or operator, may file an affidavit with the Chief of the Department of Mines and Minerals showing ownership of such land adjacent or near to the land of such owner, lessee, or operator, and that he verily believes that such owner, lessee or operator is encroaching or mining on his or their land or lands, whereupon it shall be the duty of the Chief of the Department of Mines and Minerals to cause to be furnished to such affiant or affiants a duplicate of map filed by such encroaching owner, operator or lessee, the cost of which duplicate shall be paid by the affiant or affiants. When any coal mine is worked out or is about to be abandoned, or indefinitely closed, the operator of the same shall make or cause to be made, a final survey of such mine, to show the entire worked-out area at the time the mine was closed, and the results shall be duly extended on the map of the mine previously made, and a copy thereof filed with the Chief of the Department of Mines and Minerals.

§ 45. *Adjoining Property Owners.*—No owner, or tenant of any land containing coal shall open or sink, or dig, excavate or work in any coal, mine or shaft on such land within twenty-five feet of the land dividing said land from that of another person or persons, without the consent, in writing, of every person interested in, or having title to, such adjoining land in possession, revision, or remainder, or the guardians of any such persons as may be infants, nor without in addition thereto the approval of the Chief of the Department of Mines and Minerals. If any person shall violate this section, he shall be liable to the person or persons injured thereby, who may sue for same, in the sum of five hundred dollars; provided, that nothing in this act shall deprive such

injured person or persons from pursuing any and all other remedies now provided or that may hereafter be provided by law for recovery of damages for injuries done to their property.

§ 46. *Coterminous Landowners.*—The owner, tenant or occupant of any land on which a coal mine is opened and worked, or his superintendent shall permit any person interested in, or having title to, any land coterminous with that in which such coal mine is, to have ingress and egress with surveyors and assistants to explore and survey such mine at his own expense, and not oftener than once a month for the purpose of ascertaining whether or not the preceding section has been violated. Every owner, tenant, occupant or superintendent who shall refuse such permission, exploration, or survey shall be liable to the person so refused in the sum of twenty dollars for each refusal, for which the person so refused may maintain an action as provided by law.

The judge of the county in which such mine is located, before whom complaint of such refusal is made, shall issue a summons to such owner, tenant, occupant or superintendent to answer such complaint. On the return of the summons executed, and proof that the complainant has right of entry, and that he has been refused without sufficient cause, the judge shall designate an early and convenient time for such entry to be made, and issue his warrant commanding the sheriff of the county to attend and prevent obstructions and impediments to such entry, exploration and survey, the cost of such summons, and a fee of three dollars to the sheriff executing the warrant shall be paid by the person whose refusal caused the complaint. But if the judge dismisses the complaint, the cost shall be paid by the party making it; provided however, that either party may have the right of appeal as in other actions.

§ 47. *Regulations for Storage of Oils.*—All buildings used for the storage of oils or similar inflammable material shall be located not within one hundred feet of any hoisting

or escape shaft or mine opening. Oil or grease shall be taken into the mine from day to day with one day's supply being the maximum.

§ 48. *Board of Examiners.*—The Chief of the Department of Mines and Minerals and any two of the District Inspectors, the selection of whom is optional with the Chief of the Department of Mines and Minerals and who may select them alternately from time to time, together with one miner holding mine foreman's certificate of the first class, and who has had at least seven (7) years of practical experience in the mining of coal, four (4) years of which must have been in the mines of this state and who is actually employed in mining coal at the time of appointment, and one coal operator who is at the time of the appointment actually engaged in the position of operating a coal mine in the state, and who shall be recommended by the Chief of the Department of Mines and Minerals, subject to the approval and appointment by the Governor for a term of four years each shall constitute the Board of Examiners for the application for the certificate of qualifications to serve as district mine inspector, mine foreman, and fire boss in coal mines.

The Chief of the Department of Mines and Minerals shall be chairman of the Board, and whenever it may be necessary for him to be absent from any meeting of the board, he may designate any other member to preside during his absence. The majority of the members shall constitute a quorum, set authority to transact business, hold examinations and issue certificates.

To all persons possessing the qualifications required by this certificate for appointment as district mine inspector, mine foreman and fire boss and who have passed a satisfactory examination before the Board of Examiners a certificate shall be given, in such form as may be prescribed by the Chief of the Department of Mines and Minerals certifying that said applicant has passed a satisfactory examination and possesses qualifications by this act required of the District Mine

Inspector mine foreman, and fire boss. Such certificates shall be signed by the members of the Board of Examiners.

§ 49. *Examination Fee and Certificates.*—Before taking the examination for district mine inspector, mine foreman or fire boss each applicant for the examination shall, before he is examined, pay a fee of two dollars and fifty cents ($2.50) to the Auditor of Public Accounts of this state who shall issue him receipt therefor, which receipt the applicant shall present to the board of examiners before he shall be permitted to enter the examination and all fees so paid shall be turned into the treasury to the credit of the State Department of Mines and Minerals.

The certificates to be awarded a successful applicant for a certificate of qualification to serve as district mine inspector shall show upon its face that the holder is authorized to act as district mine inspector.

The class of certificate which may be awarded an applicant who has been examined with respect to his qualifications to serve as mine foreman shall be determined by the board of examiners according to the nature of the examination taken by the applicant.

The certificate to be awarded a successful applicant for a certificate of qualification to serve as fire boss shall show upon it's face that the holder is authorized to act as fire boss.

No certificate shall be granted to any person who does not present to the board of examiners satisfactory evidence, in the form of affidavits made by well-known and responsible persons in the locality whence he came, that the applicant is a man of sobriety and good moral character, and that he has had at least five (5) years practical experience at and in coal mines. Certificates may be granted only to persons who are bona fide residents of this state, or who are employed at mines within the state. The board is authorized to decline to examine any applicant who can not readily understand the written English language or who can not express himself intelligently in the English language.

The Chief of the Department of Mines and Minerals, as chairman, shall keep a record of all proceedings of the board, including the names and addresses of persons who have been granted certificates and of those who have failed to pass the examination.

Provided however, that the passage of this Act shall in no wise effect the certification of those persons already possessing certificates of qualifications to act as mine inspector, mine foreman or fire boss respectively.

If any district mine inspector, mine foreman or fire boss should happen to have destroyed or misplaced his certificate of competency to act as district mine inspector, mine foreman or fire boss he shall apply to the Chief of the Department of Mines and Minerals for a duplicate certificate. Included with the application must be an affidavit stating in full how the certificate was destroyed or misplaced and if said Chief of the Department of Mines and Minerals shall deem it proper he shall furnish said district mine inspector, mine foreman or fire boss with a duplicate certificate, provided, however, that the person making request for a duplicate certificate shall pay a fee of two dollars ($2.00) to the Auditor of Public Accounts of this State. All fees so paid shall be turned over to the Treasurer to the credit of the State Department of Mines and Minerals.

§ 50. *Duties of Inspector of Mine Weights.*—It shall be the duty of the inspectors of mine weights in this Act provided for to inspect and test all scales used in connection with any commercial coal mine in this state (railroad scales excepted). Said inspector shall determine the mechanical condition and accuracy of said scales. It shall be the duty of any coal operator or superintendent to render such assistance to the inspector of mine weights as may be necessary in conveying and handling the weights and other appliances that may be needed for the proper inspecting and testing of said scales. The inspector of Mine weights shall leave a written record with the mine operator or superintendent as to the con-

dition of the scales inspected and shall post a record of such inspection in the weight office of said scales. If upon inspection and testing any mine scale the inspector deems it necessary that the said scale should have any part or parts replaced with new parts or if the scale is found to need a reconditioning or the foundation or building repaired or renewed it shall be the duty of the operator or superintendent to comply with the recommendations forthwith.

§ 51. *Mine Scales.*—The operator or superintendent of all commercial coal mines in this state shall provide at such mine tipple or dumping point suitable and accurate scales for the weighing of coal for which the miners are to be paid, and when differences arise between the operator or superintendent of the mine and the miners employed in the same as to the accuracy or capacity of the scales and if the matter cannot be adjusted locally, the question shall be referred to the State Department of Mines and Minerals whose duty it shall be to inspect and test said scales as early as practicable after receiving notification; and should said inspector find the scales inaccurate or defective beyond the limit admitted in such scales by the State Department of Mines and Minerals he shall notify the operator or superintendent of the mine, and said scales shall forthwith be repaired and made accurate, or accurate scales be substituted therefor. If however, after inspecting and testing the scales the inspector shall find the scales to be weighing within the limit as admitted by the State Department of Mines and Minerals, the inspector will so advise the representative of the miners and the operator or superintendent in a manner to be prescribed by the Chief of the Department of Mines and Minerals. Provided however, where coal is loaded by mechanical means by the day or by the car the above provision shall not apply. Other than to adjust the tare weights for the different types of mine cars and balance the scales no scale shall be tampered with in any manner by any person whatsoever.

§ 52. *Check Weighman.*—That when a majority of the

miners engaged in digging or mining coal in any coal mine in this state, request the owner or owners or operator of any of said mines to allow said miners to employ, at their own expense, a person to inspect the weights at said mine, and see that all the coal digged and mined by said miner is properly weighed and accoutned for, and do and perform only such other duties as will insure that said coal is properly weighed and correctly accounted for, said owner or owners, or operator or operators, shall permit such person to be employed by said miners making the request. Provided, the person so employed has the reputation of being an honest, trustworthy, discreet, sober, and upright man. Said check weighman shall be duly elected by a majority of the employees engaged in mining and loading coal and said election shall be properly conducted by secret ballot at the principal entrance to the mine.

The appointment under the provisions of this Act of each check weighman shall be approved by the County Judge of the county on presentation of an affidavit stating that said person has been duly and properly elected in accordance with the provisions of this Act.

The person appointed and employed by the miners to perform the duties set forth in this Act shall, have free access to the mine scales while the mine is in operation or the scales are being tested and he shall hold no other office nor have any duties other than Check Weighman. The said person so employed by the miners shall not be hindered or prevented from a proper performance of his duties by the person who weighs coal for the operator or operators of any mine or mines, nor any of the agents or employees of said operator or operators. Said person employed by the miners shall in no way prevent the weighman or other employees of said operator or operators from performing their duties in a proper manner.

The operator or superintendent shall see that cars are tared at reasonable intervals and said tare to be taken of the cars in their usual running condition.

If a suitable person is not available among the employees

of the mine to act as check weighman, then a man not employed at the mine may be selected as check weighman upon mutual agreement between the miners and the operator or operators of said mine or miners.

§ 53. *Mine Rules.*—The operator of any coal mine to which this Act applies shall have the right to adopt special rules for the government and operation of his mine or mines not in conflict with the provisions of this Act, covering all the work pertaining thereto in and out of the mine, but before said rules shall be in effect they shall be approved in writing by the Chief of the Department of Mines and Minerals. Such rules when so adopted and approved in writing by the Chief of the Department of Mines and Minerals shall be printed on cardboard in the language spoken by seventy-five per cent (75%) or more employees at such mine or mines, and shall be posted on a bulletin board provided for that purpose or some other conspicuous place about the mine where the same may be seen and observed by the employers at such mine; and when said rules are so adopted and approved by the Chief of the Department of Mines and Minerals and posted all employees at such mine shall be deemed to have notice thereof, and to have agreed to the provisions thereof, and any persons who shall violate the provisions of this Act or said Mine Rules shall be guilty of a misdemeanor and upon conviction thereof suffer the penalties as hereinafter provided.

It shall be the duty of such mine operator when so requested by an employee to furnish a printed copy of such rules to the employee so requesting the same. Said rules to be printed in a form prescribed by the Chief of the Department of Mines and Minerals.

It shall be the duty of any person employed in or about the coal mines of this state to obey the mining law and the mine rules and in case of failure to obey such law and rules, he shall be guilty of a misdemeanor and upon conviction, suffer the penalties as hereinafter provided.

§ 54. *Workmen's Compensation.*—The personnel of the

Department of Mines and Minerals shall be placed under the provisions of the Workmen's Compensation Laws of the Commonwealth of Kentucky.

§ 55. *Penalties.*—

(A) Any Chief of the Department of Mines and Minerals who shall violate any of the provisions contained in Sections 1 to 11, inclusive, shall upon conviction thereof be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(B) Any Coal Operator who shall violate any of the provisions contained in Sections 12 and 13 of this Act, shall upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(C) Any District Mine Inspector who shall violate any of the provisions contained in Sections 17 and 18 of this Act, shall, upon conviction be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(D) Any operator, manager, superintendent, mine foreman, person or persons who shall violate any of the provisions contained in Sections 19 to 24, inclusive, of this Act, shall upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(E) Any district inspector, coal operator, manager, or superintendent who shall violate any of the provisions contained in Section 25 of this Act shall, upon conviction thereof be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(F) Any coal operator, manager, superintendent, mine foreman, person or persons who shall violate any of the provisions contained in Sections 26 and 27 of this Act, shall, upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(G) Any person or persons who shall violate any of the provisions of Section 28 of this Act, shall, upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00).

(H) Any coal operator, manager, superintendent, mine foreman, person or persons who shall violate any of the provisions contained in Sections 29 to 34 inclusive, of this Act, shall, upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(I) Any coal operator, manager, superintendent, mine foreman, fire boss, or machine runner who shall violate any of the provisions contained in Section 35 of this Act, shall, upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(J) Any fire boss, employee, or other person or persons who shall violate any of the provisions contained in Section 36 of this Act, shall, upon conviction thereof, be fined not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00).

(K) Any shot-firer or other person or persons who shall violate any of the provisions contained in Section 37 of this Act shall, upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(L) Any coal operator, manager, superintendent, or mine foreman who shall violate any of the provisions contained in Sections 38 and 39 of this Act, shall, upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(M) Any mine foreman or assistant mine foreman or any other person or persons who shall violate any of the provisions contained in Section 40 of this Act, shall, upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(N) Any coal operator, superintendent, mine foreman, person or persons who shall violate any of the provisions contained in Sections 41, 42, and 43 of this Act, shall, upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00).

(O) Any operator, manager, superintendent or engineer who shall violate any of the provisions contained in Section 44 of this Act, shall, upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(P) Any owner, tenant, company, corporation, manager, engineer, mine foreman or employee, who shall violate any of the provisions contained in Sections 45 and 46 of this Act shall, upon conviction thereof, be fined not less than fifty dollars ($50.00) nor more than three hundred dollars ($300.00).

(Q) Any operator, manager, superintendent, mine foreman, person or persons who shall violate any of the provisions contained in Section 47 of this Act, shall, upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00).

(R) Any applicant for the position of mine inspector, mine foreman, fire boss, or any other person or persons who shall violate any of the provisions of Sections 48 and 49 of this Act, shall, upon conviction, thereof, be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00).

(S) Any inspector of mine weights, coal operator, manager, superintendent, agent, company weighman or check weighman who shall violate any of the provisions contained in Sections 50, 51, and 52 of this Act, shall, upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00).

(T) Any coal operator, manager, superintendent, mine foreman or employee who shall violate any of the provisions contained in any mine rules after same has been approved and in a manner prescribed by the Chief of the Department of Mines and Minerals shall, upon conviction thereof, be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00).

This act shall become effective July 1, 1934. All laws and parts of laws in conflict with this act are hereby repealed.

Mr. McWaters offered the following amendment to said bill, viz.:

Amend H. B. 753 by striking out from lines 64 and 65, page 4, the following words "a person who has been mutually agreed upon by the operator and to act as their representative."

Said amendment was agreed to.

Mr. Marshall Barnes offered the following amendment to said bill, viz.:

Amend H. B. 753, line 5, page 5, by striking out the figures "$4200.00" and substituting therefor "$3500.00".

Said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Marshall Barnes and Collins, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Levi Baker | Clarence E. Evans | G. M. Pritchett |
| Harold L. Barnes | John Kirtley | Pat Rankin |
| Marshall Barnes | Herschel McKinley | Avery Sartin |
| O. J. Bowen | C. C. McMasters | Jos. W. Schneider |
| Sidney J. Collins | Roy McWaters | Harry B. Thornton |
| D. B. Coughlin | James B. Milliken | Starling B. Tracy |
| Joel T. Crenshaw | James I. Peters | Henry T. Ward |
| Harry Davis | Steve Pieratt | Robt. E. Webb |
| George Dunlap | | |

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Those who voted in the negative were—

| | | |
|---|---|---|
| Henry H. Allen | Carroll D. Asbury | Robert E. Beatty |

| | | |
|---|---|---|
| Jas. C. Bright | Frank Harris | G. Samuel Milam |
| Corbett Brown | J. Joseph Hettinger | Clarence Miller |
| Wallace Brown | Dr. A. L. Hill | H. H. Miller |
| Hugh K. Bullitt | John R. Hobbs | W. H. Miller |
| J. A. Coleman | G. W. Howard | Tyler Munford |
| Carroll L. Cropper | Ira W. Hulette | Rodes K. Myers |
| W. J. Curtis | G. C. Johnson | Kleber F. Price |
| Rudy Ferguson | T. M. Johnson | Waylon Rayburn |
| L. J. Gammon | J. H. King | L. D. Sandlin |
| W. J. Garnett | W. L. Knuckles, Jr. | Mrs. M. B. Scott |
| Ferd A. Gnau | Alden L. Love | Lafe J. Spencer |
| J. S. Hall | M. T. McCarthy | J. Sterling Towles |
| W. Yancey Handy | C. C. May | J. B. Wicker |
| Judson Harmon | L. B. Meadors | B. M. Williams |

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Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Wallace Brown | R. A. Demunbrun |
| Carroll D. Asbury | Hugh K. Bullitt | George Dunlap |
| Levi Baker | Mrs. Cecil Cantrill | Clarence E. Evans |
| Harold L. Barnes | J. A. Coleman | Rudy Ferguson |
| Marshall Barnes | Sidney J. Collins | W. J. Garnett |
| Reuben J. Boling | Joel T. Crenshaw | Ferd A. Gnau |
| O. J. Bowen | Carroll L. Cropper | W. Yancey Handy |
| Jas. C. Bright | W. J. Curtis | Judson Harmon |
| Corbett Brown | Harry Davis | Frank Harris |

| | | |
|---|---|---|
| J. Joseph Hettinger | Herschel McKinley | G. M. Pritchett |
| Dr. A. L. Hill | Roy McWaters | W. P. Renfro |
| John R. Hobbs | C. C. May | Avery Sartin |
| G. W. Howard | J. S. Mattingly | Jos. W. Schneider |
| Ira W. Hulette | L. B. Meadors | Mrs. M. B. Scott |
| G. C. Johnson | G. Samuel Milam | Lyle C. Tackett |
| T. M. Johnson | Clarence Miller | Harry B. Thornton |
| J. H. King | H. H. Miller | J. Sterling Towles |
| Leo King | W. H. Miller | Starling B. Tracy |
| John Kirtley | Tyler Munford | Henry T. Ward |
| W. L. Knuckles, Jr. | Rodes K. Myers | Robert E. Webb |
| Glenn W. Lane | James I. Peters | J. B. Wicker |
| Alden L. Love | Steve Pieratt | B. M. Williams |
| M. T. McCarthy | Kleber F. Price | —68 |

Resolved that the title thereof be as aforesaid.

Mr. Marshall Barnes moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 700. An Act recognizing the Oil Well in Cumberland County, Kentucky, commonly known as the American Oil Well, and providing for the erection of a marker at the well and appropriating One Hundred and Fifty ($150.00) Dollars for its payment.

Said bill is as follows, viz.:

WHEREAS, in the year 1830, an oil well was drilled in Cumberland County, Kentucky, from which crude oil flowed. at that time denominated as American Oil of the market value

of One Dollar and Twenty-five Cents ($1.25) per gallon, since which time the product of this well has led to the development of oil throughout our country;

Whereas, it has made the Commonwealth of Kentucky distinguished for its natural resources, including crude oil;

NOW, THEREFORE, to commemorate the birth of the first oil well, not only in Kentucky, but in the United States of America; Therefore

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That the sum of One Hundred and Fifty Dollars ($150) Dollars be appropriated out of the general fund not otherwise appropriated for the purpose of purchasing and erecting a permanent marker at said well in Cumberland County, Kentucky, and Frank Bruton, of Burkesville, Cumberland County, Kentucky, be and he is hereby designated as the agent of the State of Kentucky to purchase and erect said monument and to draw upon the Treasurer of Kentucky a draft for the sum of One Hundred and Fifty ($150.00) Dollars, payable to the seller of the monument, the cost thereof.

Mr. Bruton offered the following amendment to said bill, viz.:

Amend H. B. 700 by striking out on lines 4 and 5 of the printed bill the words "and Frank Bruton of Burkesville, Cumberland County, Kentucky, be and he is hereby designated" and writing in their stead the following: "and Mrs. C. M. McGee of Burkesville, Cumberland County, Kentucky be and she is hereby designated".

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Harry Davis | C. C. McMasters |
| Carroll D. Asbury | R. A. Demunbrun | Roy McWaters |
| Levi Baker | S. S. Dickson | C. C. May |
| Harold L. Barnes | Garland Embry | L. B. Meadors |
| Marshall Barnes | Clarence E. Evans | G. Samuel Milam |
| Wm. B. Belknap | Rudy Ferguson | H. H. Miller |
| Reuben J. Boling | L. J. Gammon | W. H. Miller |
| O. J. Bowen | W. J. Garnett | James B. Milliken |
| Jas. C. Bright | W. Yancey Handy | Rodes K. Myers |
| Corbett Brown | Judson Harmon | Waylon Rayburn |
| Wallace Brown | Dr. A. L. Hill | L. D. Sandlin |
| Frank C. Bruton | John R. Hobbs | Avery Sartin |
| Hugh K. Bullitt | G. W. Howard | Mrs. M. B. Scott |
| Mrs. Cecil Cantrill | Ira W. Hulette | Lyle C. Tackett |
| J. A. Coleman | G. C. Johnson | Harry B. Thornton |
| Sidney J. Collins | T. M. Johnson | J. Sterling Towles |
| Joel T. Crenshaw | J. H. King | Starling B. Tracy |
| Carroll L. Cropper | Leo King | Henry T. Ward |
| G. Cunningham | W. L. Knuckles, Jr. | J. B. Wicker |
| W. J. Curtis | Glenn W. Lane | B. M. Williams |

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Those who voted in the negative were—

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|---|---|---|
| Robert E. Beatty | J. S. Mattingly | W. P. Renfro |
| John Kirtley | Steve Pieratt | Jos. W. Schneider |
| Alden L. Love | Kleber F. Price | Lafe J. Spencer |
| Herschel McKinley | Pat Rankin | Robert E. Webb |

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Resolved that the title thereof be as aforesaid.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 6. An Act to amend Section two hundred fifty-six, Section two hundred fifty-seven, Section two hundred fifty-eight and Section two hundred sixty of the Constitution of the Commonwealth of Kentucky, prescribing and regulating the Modes of Revision of said Constitution.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That upon the concurrence of three-fifths of all members elected to each House, the yeas and nays being taken thereon and entered in full in their respective journals, Section 256 and Section 258 of the Constitution be and they are amended and revised, so that said Sections shall read as follows:

Sec. 256. Amendments to this Constitution may be proposed in either House of the General Assembly at a regular or special session thereof; and if such amendment or amendments shall be agreed to by three-fifths of all the members elected to each house, such proposed amendment or amendments, with the yeas and nays of the members of each house taken thereon, shall be entered in full in their respective journals. Such proposed amendment or amendments shall then be submitted to the voters of the State, for their ratification or rejection, on a separate ballot, without party designation of any kind, but under the heading "CONSTITUTIONAL AMENDMENTS," printed in boldfaced type, at either a special or general election, as the General Assembly may prescribe, the vote to be taken thereon and to be certified by the officers of election to the Secretary of State in such manner as shall be provided by law, which vote shall be can-

vassed, or compared, and certified by the same board authorized by law to compare the polls and give certificates of election to officers for the State at large. If it shall appear that a majority of the votes cast for and against an amendment at said election was for the amendment, then the same shall become a part of the Constitution of this Commonwealth, and shall be so forthwith proclaimed by the Governor, and published in such manner as the General Assembly may direct.

Before any proposed amendment shall be submitted to a vote, as herein provided, such proposed amendment or amendments shall be published by the Secretary of State once a week for ten (10) consecutive weeks next preceding such election in at least one newspaper in each county of the State, where a newspaper is published, and may also be published in such other manner and to such addditional extent as may be prescribed by law. With such proposed amendment or amendments shall also be published a statement, showing by whom each proposed amendment was introduced or offered in the General Assembly, and the names of those voting for and against it in each House, with their respective districts, and the change or changes in the Constitution intended to be effected thereby. Such statement shall be fair and impartial and without any indication of preference either for or against the amendment, and same shall be prepared by a Committee, consisting of the President or President *pro tem.* of the Senate, the Speaker of the House, and the Attorney General, and shall be signed by them.

None of said proposed amendments shall be submitted at an election which occurs less than ninety (90) days from the final passage of such proposed amendment or amendments. Not more than five (5) amendments shall be voted upon at any one time. Said amendments shall be so submitted as to allow a separate vote on each, and no amendment shall relate to more than one subject. The approval of the Governor shall not be necessary to any bill, order, resolution or vote of the General Assembly, proposing an amendment or amendments to this Constitution.

Sec. 258. Whenever two-thirds of all the members elected to each House of the General Assembly shall concur, by a yea and nay vote, to be entered upon their respective journals, in enacting a law to take the sense of the people of the State as to the necesity and expediency of calling a convention for the purpose of revising or amending this Constitution, and such amendments as may have been made to the same, such law shall be spread upon their respective journals, and the question of calling such convention shall be submitted to the electors on a separate ballot, without party designation, of any kind, but under the heading "CONSTITUTIONAL CONVENTION," printed in boldfaced type, at the next ensuing regular election to be held for State officers or members of the House of Representatives, which does not occur within ninety days from the final passage of such law, at which time and places the votes of the qualified voters shall be taken for and against calling the convention, in the same manner provided by law for taking votes in other State elections.

The vote for and against said proposition shall be certified to the Secretary of State by the same officers and in the same manner as in State elections. If it shall appear that a majority of the electors, voting for and against the calling of a convention, voted in favor of calling a convention, the Secretary of State shall certify the result to the General Assembly at its next regular session, at which session a law shall be enacted calling a convention to readopt, revise or amend this Constitution, and such amendments as may have been made thereto, provided that such Convention shall not continue in session beyond one hundred (100) legislative days in all, and the total cost thereof shall not exceed Three Hundred Thousand Dollars ($300,000), and provided, further, that no alteration, amendment, or revision of this Constitution, agreed upon by any convention, assembled in pursuance of this article, shall take effect or become operative until the same shall have been submitted to the electors of the State, at an election to be held not less than ninety (90) days after the final ad-

journment of said convention, and adopted by a majority of those voting thereon, the result of which election to ratify or reject the action of the convention shall be ascertained and proclaimed in the same manner as is provided in the case of specific amendments proposed by the General Assembly and submitted to a vote of the electorate.

The approval of the Governor shall not be necessary to any bill, resolution, or other enactment of the General Assembly providing for taking the sense of the people of the State, as herein provided, as to the necessity and expediency of calling a convention to revise or amend this Constitution and the amendments thereto.

§ 2. That upon the concurrence of three-fifths of all members elected to each House, the yeas and nays being taken thereon and entered in full in their respective journals, Section 257 of the Constitution shall be, and the same is repealed and stricken from the Constitution.

§ 3. That upon the concurrence of three-fifths of all members elected to each House, the yeas and nays being taken thereon and entered in full in their respective journals, Section 260 of the Constitution shall be, and same is amended by adding thereto the following words, viz., Provided that such session shall not extend beyond one hundred (100) legislative days in all, as provided in Section 258 of this Constitution, as amended.

§ 4. The foregoing proposed amendments to the Constitution, relating to the Modes of Revision of said Constitution and dealing with that one subject alone, shall be submitted, as one amendment to the Constitution, to the voters of this State for their ratification or rejection, at the next general election for members of the House of Representatives of this Commonwealth in accordance with the provisions of Section two hundred fifty-six of the Constitution of Kentucky and at the time and in the manner provided for under said Section of the Constitution and the statutes enacted pursuant thereto to effectuate same.

Mrs. Cantrill offered the following amendment to said bill, viz.:

Amend H. B. 6 by striking therefrom the following words and sentences, beginning on page 2, in line 33, and ending on page 3, in line 42, viz.:

"With such proposed amendment or amendments shall also be published a statement, showing by whom each proposed amendment was introduced or offered in the General Assembly and the names of those voting for and against it in each House, with their respective districts, and the change or changes in the Constitution intended to be effected thereby. Such statement shall be fair and impartial and without any indication of preference either for or against the amendment, and same shall be prepared by a Committee, consisting of the President or President *pro tem.* of the Senate, the Speaker of the House and the Attorney General, and shall be signed by them."

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and rejected, having failed to receive a Constitutional majority.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen Carroll D. Asbury Harold L. Barnes

| | | |
|---|---|---|
| Robert E. Beatty | Ferd A. Gnau | Tyler Munford |
| B. F. Bedford | J. Joseph Hettinger | Rodes K. Myers |
| Wm. B. Belknap | Dr. A. L. Hill | G. M. Pritchett |
| O. J. Bowen | Ira W. Hulette | Pat Rankin |
| Jas. C. Bright | G. C. Johnson | Waylon Rayburn |
| Wallace Brown | T. M. Johnson | W. P. Renfro |
| Hugh K. Bullitt | John Kirtley | Mrs. M. B. Scott |
| Mrs. Cecil Cantrill | W. L. Knuckles, Jr. | Lafe J. Spencer |
| Joel T. Crenshaw | Alden L. Love | John W. Taylor |
| Carroll L. Cropper | M. T. McCarthy | J. Sterling Towles |
| G. Cunningham | Herschel McKinley | Starling B. Tracy |
| W. J. Curtis | Roy McWaters | Robert E. Webb |
| S. S. Dickson | H. H. Miller | J. B. Wicker |
| Rudy Ferguson | James B. Milliken | B. M. Williams |
| L. J. Gammon | | —46 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Reuben J. Boling | Ferd A. Gnau | G. Samuel Milam |
| Corbett Brown | J. S. Hall | Clarence Miller |
| Frank C. Bruton | W. Yancey Handy | W. H. Miller |
| J. A. Coleman | Judson Harmon | James I. Peters |
| Sidney J. Collins | Frank Harris | Steve Pieratt |
| D. B. Coughlin | G. W. Howard | Kleber F. Price |
| Harry Davis | J. H. King | L. D. Sandlin |
| R. A. Demunbrun | Leo King | Avery Sartin |
| George Dunlap | Glenn W. Lane | Jos. W. Schneider |
| Clarence E. Evans | C. C. McMasters | Lyle C. Tackett |
| W. J. Garnett | C. C. May | Henry T. Ward |
| Ralph Gilbert | J. S. Mattingly | —35 |

Mr. Milam moved that the vote by which said bill was rejected, having failed to receive a Constitutional majority, be reconsidered.

Said motion was agreed to.

Thereafter such reconsideration, Mr. Milam moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 328. An Act to amend the Constitution so as to authorize the General Assembly on three-fifths vote to abolish or consolidate all offices, etc.

Mr. Kirtley moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 846. An Act to accept title to the estate of Eleanor Holmes Lindsay.

Dr. Hill moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 405. An Act to create an Advisory Commission on needed Constitutional and Legislative changes.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That the Governor of the Commonwealth be authorized to appoint an Advisory Commission on Needed Constitutional and Statutory changes, which shall consist of not more

than eighteen and not less than nine persons, who shall serve during the Governor's administration and report to him and to the Legislature at the opening of each legislative session.

§ 2. That it shall be the duty of the Advisory Commission on Needed Constitutional and Statutory Changes to study all proposed changes in the Constitution and statutes of the State which are brought to their attention in the period when the legislature is not in session, and prepare a report thereon for the Governor and the Legislature.

§ 3. The commission may be called on for advice by the Governor and the Legislature during the legislative session.

§ 4. The members of the commission shall serve without compensation, and because of the financial situation of the Commonwealth, the members as public spirited citizens, are asked to pay their own expenses.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitutio were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Charles Chandler | W. J. Garnett |
| Carroll D. Asbury | J. A. Coleman | W. Yancey Handy |
| Harold L. Barnes | D. B. Coughlin | J. Joseph Hettinger |
| Robert E. Beatty | Joel T. Crenshaw | Dr. A. L. Hill |
| Wm. B. Belknap | Carroll L. Cropper | John R. Hobbs |
| Corbett Brown | G. Cunningham | Ira W. Hulette |
| Wallace Brown | W. J. Curtis | G. C. Johnson |
| Frank C. Bruton | R. A. Demunbrun | T. M. Johnson |
| Hugh K. Bullitt | George Dunlap | Leo King |
| Mrs. Cecil Cantrill | L. J. Gammon | John Kirtley |

| | | |
|---|---|---|
| M. T. McCarthy | Rodes K. Myers | Mrs. M. B. Scott |
| Roy McWaters | Kleber F. Price | Lafe J. Spencer |
| L. B. Meadors | G. M. Pritchett | Lyle C. Tackett |
| Clarence Miller | Pat Rankin | J. Sterling Towles |
| H. H. Miller | Waylon Rayburn | Starling B. Tracy |
| W. H. Miller | W. P. Renfro | Robert E. Webb |
| James B. Milliken | L. D. Sandlin | J. B. Wicker |
| Tyler Munford | Jos. W. Schneider | —53 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | Frank Harris | James I. Peters |
| Sidney J. Collins | George R. McIntosh | Avery Sartin |
| Clarence E. Evans | C. C. May | Harry B. Thornton |
| J. S. Hall | J. S. Mattingly | B. M. Williams |
| | | —12 |

Resolved that the title thereof be as aforesaid.

Mr. Towles moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 518. An Act relating to trucks.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. All trucks or motor vehicles of two-ton capacity or more shall not be operated over the highways of this Commonwealth less than 300 yards apart.

It is the purpose of this Act to prohibit trucks and motor vehicles of two-ton capacity or more being driven so near to-

gether that it will prevent passenger cars from passing them with safety.

§ 2. Any person guilty of violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than $25.00 nor more than $50.00.

§ 3. All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Evans offered the following amendment to said bill, viz.:

Amend H. B. 518 by striking out of the printed bill all of paragraph 1 and substituting in lieu thereof the following:

Paragraph 1. All trucks or motor vehicles having a capacity of two (2) tons or more while being operated over the highways of this Commonwealth shall not be closer in following any other vehicle than sufficient distance behind said vehicle as to enable the driver of the truck to stop and to enable any driver of any other vehicle desiring to pass said truck sufficient space to pull in between trucks of the above capacity without danger to the driver of the truck or any other vehicle upon the highway.

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Carroll D. Asbury Reuben J. Boling Jas. C. Bright

| | | |
|---|---|---|
| Corbett Brown | Dr. A. L. Hill | W. H. Miller |
| Wallace Brown | John R. Hobbs | James B. Milliken |
| Frank C. Bruton | Ira W. Hulette | Rodes K. Myers |
| Mrs. Cecil Cantrill | T. M. Johnson | James I. Peters |
| J. A. Coleman | J. H. King | Steve Pieratt |
| Joel T. Crenshaw | Leo King | Kleber F. Price |
| Carroll L. Cropper | John Kirtley | G. M. Pritchett |
| George Dunlap | Glenn W. Lane | Avery Sartin |
| Clarence E. Evans | Alden L. Love | Mrs. M. B. Scott |
| Rudy Ferguson | C. C. McMasters | Lyle C. Tackett |
| W. J. Garnett | Roy McWaters | Harry B. Thornton |
| W. Yancey Handy | L. B. Meadors | Starling B. Tracy |
| Judson Harmon | G. Samuel Milam | J. B. Wicker |
| Frank Harris | Clarence Miller | —44 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Henry H. Allen | D. B. Coughlin | M. D. Phelps |
| Levi Baker | R. A. Demunbrun | Pat Rankin |
| Marshall Barnes | M. T. McCarthy | W. P. Renfro |
| Robert E. Beatty | Herschel McKinley | Jos. W. Schneider |
| Wm. B. Belknap | C. C. May | Lafe J. Spencer |
| O. J. Bowen | J. S. Mattingly | J. Sterling Towles |
| Sidney J. Collins | Tyler Munford | B. M. Williams |
| | | —21 |

Resolved that the title thereof be as aforesaid.

Mr. Love moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 859. An Act repealing and re-enacting Section 1992a-26, Carroll's Kentucky Statutes, Baldwin's 1930 Re-

vision, relating to appropriations of the preceding fiscal year continuing in the event the General Assembly should fail to make appropriations for the fiscal year, or years next ensuing, or in the event of the Governor vetoing an appropriation or item; and relating to the powers of the Budget Commission; and providing that such appropriations shall not so continue in the event that the General Assembly at either a regular or extra session held at any time before the beginning of the fiscal year shall make such appropriations.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. Section 1992a-26, Carroll's Kentucky Statutes, Baldwin's 1930 Revision is hereby repealed and re-enacted, and said section, when re-enacted, shall read as follows:

"In the event that the General Assembly, either at a regular or extra session thereof held prior to the beginning of a Fiscal year, should fail to make an appropriation or appropriations for the fiscal year or years next ensuing or the Governor shall veto an appropriation or item, then and in that event an appropriation equal in amount to the appropriation made for each budget unit for the fiscal year next preceding, exclusive of appropriations for capital outlays, is hereby made and shall continue available from year to year until an appropriation shall have been made as is provided herein and shall become effective. In case the appropriation made for any budget unit is applicable alike for capital outlays and other expenditures, the budget commission shall determine what proportion of such appropriation shall continue available for the maintenance and operation of the budget unit, as hereinbefore provided in this section, until an appropriation shall have been made by the General Assembly."

§ 2. All acts or parts of acts in conflict herewith, are, to the extent of such conflicts, hereby repealed.

Mr. Milam offered the following amendment to said bill, viz.:

Amend H. B. 859 by striking therefrom the following words beginning on line 2, page 1, of the printed bill, after the word "repealed", "and re-enacted, and said section, when re-enacted, shall read as follows: 'In the event that the General Assembly, either at a regular or extra session thereof held prior to the beginning of a fiscal year or years next ensuing or the Governor shall veto an appropriation or item, then and in that event an appropriation equal in amount to the appropriation made for each budget unit for the fiscal year next preceding, exclusive of appropriations for capital outlays, is hereby made and shall continue available from year to year until an appropriation shall have been made as is provided herein and shall become effective. In case the appropriation made for any budget unit is applicable alike for capital outlays and other expenditures, the Budget Commission shall determine what proportion of such appropriation shall continue available for the maintenance and operation of the budget unit, as hereinbefore provided in this section, until an appropriation shall have been made by the General Assembly.'

§ 2. All acts or parts of acts in conflict herewith, are, to the extent of such conflicts, hereby repealed."

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Ferd A. Gnau | Clarence Miller |
| Carroll D. Asbury | W. Yancey Handy | W. H. Miller |
| Harold L. Barnes | Judson Harmon | James B. Milliken |
| Robert E. Beatty | Dr. A. L. Hill | Tyler Munford |
| Wm. B. Belknap | John R. Hobbs | Rodes K. Myers |
| Reuben J. Boling | Ira W. Hulette | James I. Peters |
| O. J. Bowen | G. C. Johnson | Steve Pieratt |
| Jas. C. Bright | T. M. Johnson | Kleber F. Price |
| Corbett Brown | J. H. King | G. M. Pritchett |
| Wallace Brown | Leo King | Waylon Rayburn |
| Hugh K. Bullitt | John Kirtley | W. P. Renfro |
| Mrs. Cecil Cantrill | W. L. Knuckles, Jr. | Mrs. M. B. Scott |
| J. A. Coleman | Glenn W. Lane | Lafe J. Spencer |
| Joel T. Crenshaw | Alden L. Love | Lyle C. Tackett |
| W. J. Curtis | Herschel McKinley | John W. Taylor |
| Harry Davis | C. C. McMasters | J. Sterling Towles |
| R. A. Demunbrun | Roy McWaters | Starling B. Tracy |
| George Dunlap | C. C. May | Henry T. Ward |
| Clarence E. Evans | L. B. Meadors | Robert E. Webb |
| W. J. Garnett | G. Samuel Milam | J. B. Wicker |

—60

Those who voted in the negative were—

D. B. Coughlin Jos. W. Schneider —2

Mr. Milam offered the following amendment to the title of said bill, viz.:

That the title to H. B. 859 be and the same is hereby amended by striking the entire title as set out in the printed bill and substituting therefor the following words: "An Act repealing Section 1992a-26, Carroll's Kentucky Statutes, Baldwin's 1930 Revision."

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Milam moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 452. An Act amending and re-enacting Sections 14 and 16 of Chapter 19 of the Acts of 1916, which are now Sections 762a-14 and 762a-16, Carroll's Kentucky Statutes, relating to insurance agents; and repealing Section 762a-15, Carroll's 1930 Kentucky Statutes, which was Section 15 of Chapter 19 of the Acts of 1916.

With Committee amendments thereto.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 14 of Chapter 19 of the Acts of 1916, approved March 15th, 1916, which said section is now Section 762a-14, Carroll's 1922 Kentucky Statutes, be and the same is hereby amended and re-enacted so that said section when amended and re-enacted will read as follows:

1. (a) An insurance agent is hereby defined to be an individual who, partnership or corporation which maintains an office within this Commonwealth and keeps therein at all times a complete permanent record of all applications for and policies of insurance placed by or through him or it and who does not sign any policies in blank to be issued outside of his or its office and who is a *bona fide* resident of this Common-

wealth, duly authorized in writing by any insurer lawfully qualified to transact the business of insurance in this Commonwealth, to solicit, negotiate or effect contracts of insurance. If a co-partnership or corporation is an insurance agent, as above defined, the members of such co-partnership and all officers and stockholders of such corporation who solicit, negotiate or effect contracts of insurance shall be required to qualify as agents under this act in lieu of the co-partnership or corporation. Any person authorized by any of the above mentioned agents, corporations, co-partnerships or individuals to solicit insurance shall also be required to qualify as agent under this act.

(b) An insurance agent, as defined in Section 1 ((a) of this act, shall maintain an office within this Commonwealth and shall keep therein at all times a complete permanent record of all applications for any policies of insurance placed by or through him or it and he shall not sign any policies in blank to be issued outside of his or its office and he shall be a *bona fide* resident of this Commonwealth duly authorized, in writing, by any insurer lawfully qualified to transact the business of insurance in this Commonwealth and he shall comply with all the rules and regulations prescribed and promulgated by the Insurance Commissioner.

(c) Before a license is issued to any insurance agent, the company shall file with the Insurance Commissioner, with the application for such agent's license, a statement sworn to by and in the handwriting of the proposed agent on a form prescribed and furnished by the Insurance Commissioner. The applications and the statements shall contain answers to such interrogatories as the Insurance Commissioner may require on form or forms and supplements thereto prescribed by the Insurance Commissioner, and the applications and statements shall contain such information as the Insurance Commissioner may require. Such license shall not be issued until the applicant shall have complied with the requirements of the Insurance Commissioner.

(d) The Insurance Commissioner shall have the power and authority to adopt and prescribe reasonable rules and regulations governing and controlling and in respect to,—

Information to be given by the applicant for license;

Information to be given by the underwriter desiring to employ the applicant as agent, executed by an executive officer and managing agent;

The investigation of the competency and trustworthiness of the applicant for an agent's license before the issuance of a license;

The revocation of the license of any agent.

Said rules and regulations and such amendments thereto as may become necessary when prescribed and promulgated shall become effective when a copy thereof, duly signed by the Insurance Commissioner, shall have been filed in the office of the Secretary of the State of Kentucky; such first filing shall be made within a reasonable time, not to exceed sixty days from the date this act becomes a law.

(e) A license issued under this act may be revoked or suspended or application therefor or renewal thereof may be refused by the Insurance Commissioner if, after due investigation and a hearing as provided in rules and regulations prescribed by and promulgated by the Insurance Commissioner, the Insurance Commissioner determines that the holder of such license or the applicant therefor, as the case may be, (a) has violated any provision of the insurance law; (b) has violated any law in the course of his dealings as an agent; (c) has made a material misstatement in the application for such license; (d) has been guilty of fraudulent or dishonest practices; (e) has demonstrated his incompetency or untrustworthiness to transact business as an insurance agent; (f) has failed or refused, upon demand, to pay over to any company he represents or has represented any money coming into his hands belonging to such company; (g) has willfully over-insured any risk in this Commonwealth; (h) has will-

fully misrepresented any policy of insurance or willfully deceived any person with regard to an insurance policy.

(f) Within thirty days after the revocation or suspension of a license, or after the refusal of a license, the person aggrieved shall have the right to petition the circuit court of Franklin County to require the re-instatement or issuance of said license. Within thirty days after the granting of a license, or the refusal by the Insurance Commissioner to revoke or suspend a license, any person aggrieved thereby shall have the right to petition the circuit court of Franklin County to revoke, suspend or refuse to grant such license; and for the purpose of taking such action persons aggrieved shall include insurance company injured, or competitor injured or threatened with injury by any of the illegal or improper conditions or practices denounced herein. Any issue tried before the Franklin Circuit Court under this section of the act shall be tried *de novo* in this court. The action in the circuit court of Franklin County shall proceed as a cause in equity.

(g) All laws or parts of laws in conflict herewith are hereby repealed.

2. That Section 762a-15, Kentucky Statutes (Carroll's 1930 Edition), being Section 15 of Chapter 19 of the Acts of the General Assembly of 1916, be and the same is hereby repealed.

3. That Section 762a-16, Kentucky Statutes (Carroll's 1930 Edition), being Section 16 of Chapter 19 of the Acts of 1916, be amended and re-enacted so that, when amended and re-enacted, said section will read as follows:

The license of every insurance agent shall expire on the first day of November in each year, and shall be renewed annually on application by the company and payment of the fee required by law; provided, that no such license shall be renewed to an agent (subject to the provisions of Section 762a-14 as amended herein), for an insurance company unless he is a *bona fide* resident of this Commonwealth, and that no license shall be renewed effective on and after November first, 1934,

unless the agent seeking such renewal shall have filed with the Commissioner a statement conforming to K. S. Section 762a-14 as amended herein.

Said amendments as offered by the Committee are as follows, viz.:

1. Amend H. B. 452 by adding at the end thereof the following section, to-wit:

4. None of the provisions of this act shall apply to assessment or co-operative associations or companies, mutual companies, reciprocal or inter-insurance exchanges, their attorneys in fact, or their agents, servants or employees or representatives.

2. Amend H. B. 452, on page 4, lines 85 and 86 of the printed bill, by striking therefrom the words: (g) "All laws or parts of laws in conflict herewith are hereby repealed."

Said amendments were each agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Jas. C. Bright | Mrs. Cecil Cantrill |
| Carroll D. Asbury | Corbett Brown | Charles Chandler |
| Levi Baker | Wallace Brown | J. A. Coleman |
| Robert E. Beatty | Frank C. Bruton | D. B. Coughlin |
| B. F. Bedford | Hugh K. Bullitt | Carroll L. Cropper |

| | | |
|---|---|---|
| G. Cunningham | G. C. Johnson | Tyler Munford |
| W. J. Curtis | T. M. Johnson | Rodes K. Myers |
| R. A. Demunbrun | J. H. King | James I. Peters |
| Garland Embry | Leo King | Steve Pieratt |
| Clarence E. Evans | John Kirtley | G. M. Pritchett |
| Rudy Ferguson | W. L. Knuckles, Jr. | Waylon Rayburn |
| L. J. Gammon | Glenn W. Lane | W. P. Renfro |
| W. J. Garnett | M. T. McCarthy | L. D. Sandlin |
| Ferd A. Gnau | Herschel McKinley | Lafe J. Spencer |
| W. Yancey Handy | C. C. McMasters | Lyle C. Tackett |
| Judson Harmon | Roy McWaters | J. Sterling Towles |
| R. M. Harrison, Jr. | C. C. May | Starling B. Tracy |
| J. Joseph Hettinger | G. Samuel Milam | Henry T. Ward |
| Dr. A. L. Hill | Clarence Miller | Robert E. Webb |
| John R. Hobbs | W. H. Miller | B. M. Williams |
| Ira W. Hulette | James B. Milliken | —62 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Harold L. Barnes | Harry Davis | Avery Sartin |
| Marshall Barnes | George Dunlap | Jos. W. Schneider |
| O. J. Bowen | J. S. Mattingly | John W. Taylor |
| Sidney J. Collins | Pat Rankin | —11 |

Resolved that the title thereof be as aforesaid.

Mr. Cropper moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 781. An Act providing for rules and regulations for the operation of nudist colonies in this Commonwealth; providing for the payment of a license fee; providing for penalty for the violation of this Act; repealing all laws in conflict.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. Nudists, as defined in this Act, means any person or group of persons who display any part of their private person naked before persons of the opposite sex, not their husband or wife, at their solicitation or with their consent for religious or health purposes.

§ 2. Hereafter, any person, firm, corporation or organization desiring to own or operate a nudist colony must first secure a license therefor from the State Tax Commission, and pay an annual tax thereon of One Thousand ($1,000.00) Dollars.

§ 3. In order that the privacy of the person or persons living in a nudist colony might be assured, it shall be unlawful for any person, firm, corporation or other organization to operate said colony without first building a wall twenty feet in height, made of brick, stone or cement around the premises on which the colony is located.

§ 4. It shall be the duty of the owner or operator or person in charge of such colony to keep a register in which shall be kept the names and addresses of all persons who may enter said colony, which register shall be open to inspection at all times to the proper authorities.

§ 5. Said colony shall be inspected by such persons and at such times as may be deemed necessary by the Attorney General.

§ 6. Any person, firm, corporation or organization found guilty of violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than One Thousand ($1,000.00) Dollars.

§ 7. All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Bright offered the following amendment to said bill, viz.:

Amend H. B. 781 by striking from lines 3 and 4 of Section 2 thereof the following: "an annual tax thereon of $1,000.00" and inserting in lieu thereof the following: "a tax thereon of $500.00 per day for each and every day said colony is owned or operated."

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | R. A. Demunbrun | Glenn W. Lane |
| Levi Baker | S. S. Dickson | M. T. McCarthy |
| Harold L. Barnes | Clarence E. Evans | J. S. Mattingly |
| Robert E. Beatty | Rudy Ferguson | Clarence Miller |
| B. F. Bedford | L. J. Gammon | Tyler Munford |
| Reuben J. Boling | Ferd A. Gnau | Rodes K. Myers |
| Corbett Brown | J. S. Hall | James I. Peters |
| Wallace Brown | W. Yancey Handy | Waylon Rayburn |
| Frank C. Bruton | J. Joseph Hettinger | W. P. Renfro |
| Hugh K. Bullitt | Dr. A. L. Hill | Jos. W. Schneider |
| Charles Chandler | G. W. Howard | Harry Sparks |
| D. B. Coughlin | Ira W. Hulette | Lyle C. Tackett |
| Carroll L. Cropper | T. M. Johnson | Elmore J. Thomas |
| G. Cunningham | Leo King | J. Sterling Towles |
| W. J. Curtis | John Kirtley | Starling B. Tracy |
| Harry Davis | W. L. Knuckles, Jr. | Robt. E. Webb |

—48

Those who voted in the negative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Herschel McKinley | Steve Pieratt |
| Wm. B. Belknap | C. C. McMasters | Pat Rankin |
| O. J. Bowen | Roy McWaters | John W. Taylor |
| J. A. Coleman | C. C. May | Henry T. Ward |
| George Dunlap | L. B. Meadors | J. B. Wicker |
| Judson Harmon | James B. Milliken | B. M. Williams |

—18

Resolved that the title thereof be as aforesaid.

Mr. Allen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 558. An Act creating the office of Stenographer to the County Attorney in counties containing cities of the second and third class, prescribing the method of appointment and removal, salary and the method of payment of said salary.

With Committee amendments thereto.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That in all counties in this Commonwealth containing cities of second and third class, there is hereby created the office of Stenographer or Clerk to the County Attorney. Said Stenographer or Clerk shall be appointed by the County Attorney for a term of four years, but may be removed at any time by the said County Attorney.

§ 2. Said Stenographer shall receive a salary of not less than Six Hundred Dollars ($600.00), nor more than Twelve

Hundred Dollars ($1,200.00) per annum, to be paid by the Fiscal Court in such county, and shall be payable out of the county levy in said county in equal monthly installments.

§ 3. That this Act shall be in force and effect immediately upon its passage and approval.

Said amendments as offered by the Committee are as follows, viz.:

1. Amend H. B. 558 by adding to line 1, Section 1, page 1, of the printed bill at the end of the line the words "the first or".

2. Amend the title to H. B. 558 by inserting between the words "the" and "second" the words "first or".

Amendment No. 1 as offered by the Committee was then agreed to.

Mr. Coughlin offered the following amendment to said bill, viz.:

Amend H. B. 558 by striking out "third class" in line 2 thereof.

Said amendment was agreed to.

Mr. Rayburn moved that the vote by which said amendment was agreed to be reconsidered.

Said motion was disagreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | D. B. Coughlin | Herschel McKinley |
| Carroll D. Asbury | Carroll L. Cropper | Roy McWaters |
| Levi Baker | G. Cunningham | C. C. May |
| Harold L. Barnes | W. J. Curtis | G. Samuel Milam |
| Marshall Barnes | R. A. Demunbrun | Clarence Miller |
| Robert E. Beatty | Clarence E. Evans | W. H. Miller |
| Wm. B. Belknap | Rudy Ferguson | James B. Milliken |
| Reuben J. Boling | L. J. Gammon | Tyler Munford |
| O. J. Bowen | Ferd A. Gnau | Rodes K. Myers |
| Jas. C. Bright | W. Yancey Handy | Steve Pieratt |
| Corbett Brown | Dr. A. L. Hill | G. M. Pritchett |
| Wallace Brown | John R. Hobbs | W. P. Renfro |
| Hugh K. Bullitt | G. C. Johnson | J. Sterling Towles |
| Charles Chandler | T. M. Johnson | Starling B. Tracy |
| Sidney J. Collins | John Kirtley | B. M. Williams |

—45

Those who voted in the negative were—

| | | |
|---|---|---|
| J. A. Coleman | W. L. Knuckles, Jr. | Waylon Rayburn |
| George Dunlap | Alden L. Love | Avery Sartin |
| J. S. Hall | C. C. McMasters | Henry T. Ward |
| J. H. King | Pat Rankin | |

—11

The amendment to the title of said bill, as offered by the Committee, was then agreed to.

Resolved that the title thereof be as amended.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 725. An Act to abolish the Old Kentucky Home Commission.

Mr. Clarence Miller moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 559. An Act relating to railroad companies and prohibiting railroad companies from requiring any of their employees to have their time-pieces cleaned oftener than once every three years at the expense of such employee and providing the penalty for the violation of this Act.

With a Committee amendment thereto.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That it shall be unlawful for any railroad company to require any of its employees to have their timepieces cleaned oftener than once every three years at the expense of such employee. If any railroad company does by its rules or regulations require a more frequent cleaning of timepieces of any employees such railroad company shall pay the cost thereof without deducting any part thereof from the salary or compensation of such employee.

§ 2. Any railroad company violating any of the provisions of this Act shall be fined not less than ten dollars ($10.00) nor more than fifty dollars ($50.00) for each offense.

Said amendment as offered by the Committee is as follows, viz.:

Amend H. B. 559 in line 3 of printed bill by striking out the word "three" and substitute the words "one and one-half" in lieu thereof.

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | W. Yancey Handy | L. B. Meadors |
| Levi Baker | Judson Harmon | Clarence Miller |
| Harold L. Barnes | J. Joseph Hettinger | W. H. Miller |
| Robert E. Beatty | Dr. A. L. Hill | Rodes K. Myers |
| Jas. C. Bright | John R. Hobbs | G. M. Pritchett |
| Wallace Brown | Ira W. Hulette | Pat Rankin |
| Hugh K. Bullitt | G. C. Johnson | Waylon Rayburn |
| Charles Chandler | Leo King | W. P. Renfro |
| J. A. Coleman | John Kirtley | L. D. Sandlin |
| G. Cunningham | W. L. Knuckles, Jr. | Avery Sartin |
| W. J. Curtis | Glenn W. Lane | Jos. W. Schneider |
| R. A. Demunbrun | Alden L. Love | Henry T. Ward |
| Clarence E. Evans | C. C. McMasters | Robt. E. Webb |
| Rudy Ferguson | Roy McWaters | J. B. Wicker |
| Ferd A. Gnau | C. C. May | —44 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Sidney J. Collins | D. B. Coughlin | —2 |

Resolved that the title thereof be as aforesaid.

Mr. Beatty moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 297. An Act to repeal, amend and re-enact Section 1893d-9 of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, relating to game fish and limiting the number and size of fish which may be taken.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 1893d-9 of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed, amended, and re-enacted so that when re-enacted it will read as follows:

No person shall take, or catch, or have in his possession more than ten (10) black bass, nor more than ten (10) trout, nor more than fifteen (15) rock bass or "goggle eye", nor more than fifteen, (15) crappie in any one day, nor take, nor have in his possession any black bass, nor trout under eleven (11) inches in length, nor any crappie under eight (8) inches in length; provided, however, that any person having fished two days in succession may have in possession a total not to exceed twenty (20) black bass, or trout, thirty (30) rock bass or "goggle eye", or thirty (30) crappie.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Harold L. Barnes | L. J. Gammon | J. S. Mattingly |
| Robert E. Beatty | W. J. Garnett | L. B. Meadors |
| Wm. B. Belknap | Ferd A. Gnau | G. Samuel Milam |
| Reuben J. Boling | J. S. Hall | W. H. Miller |
| O. J. Bowen | W. Yancey Handy | Tyler Munford |
| Jas. C. Bright | Judson Harmon | Rodes K. Myers |
| Corbett Brown | J. Joseph Hettinger | James I. Peters |
| Wallace Brown | Dr. A. L. Hill | Steve Pieratt |
| Hugh K. Bullitt | John R. Hobbs | Waylon Rayburn |
| Charles Chandler | Ira W. Hulette | W. P. Renfro |
| J. A. Coleman | G. C. Johnson | Avery Sartin |
| Sidney J. Collins | T. M. Johnson | Jos. W. Schneider |
| Carroll L. Cropper | J. H. King | John W. Taylor |
| G. Cunningham | Leo King | Harry B. Thornton |
| W. J. Curtis | John Kirtley | J. Sterling Towles |
| R. A. Demunbrun | W. L. Knuckles, Jr. | Henry T. Ward |
| George Dunlap | Glenn W. Lane | Robt. E. Webb |
| Clarence E. Evans | Alden L. Love | J. B. Wicker |
| Rudy Ferguson | C. C. May | —56 |

Resolved that the title thereof be as aforesaid.

Mr. W. H. Miller moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 228. An Act to amend paragraph 2, Section 1938-a, Chapter 57, Kentucky Statutes, Carroll's Kentucky Statutes, relating to open season on doves, by changing the open season therein set out.

With Committee amendments thereto.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That paragraph 2, Section 1938-a, Chapter 57, Kentucky Statutes, Carroll's 1930 Edition, relating to open season on doves, be amended by omitting therefrom the clause reading "between the 16th day of December and the 31st day of August" and substituting therefor the following words: "between the 16th day of December and the 1st day of July," so that said paragraph when so amended and re-enacted will read as follows:

"Section 1938-a, paragraph 2. Doves: When unlawful to catch and kill. No person shall between the 16th day of December and the 1st day of July, both days inclusive, in any year, catch, kill, injure or pursue with such intent, any doves or have in possession any doves or any part of any dove, dead or alive, no matter when or where caught or killed, whether in this state, or in any other state, territory, country or place, except as hereinafter provided in Section 1938a-13 of this act.

§ 2. This act shall take effect and be in force according to the provisions of the Constitution and all laws or parts of laws in conflict herewith are hereby repealed.

Said amendments as offered by the Committee are as follows, viz.:

1. Amend H. B. 228 by striking from lines 5 and 6 on page 1 of the printed bill the following: "between the 15th day of December and the 1st day of July" and substituting in lieu thereof the following: "between the 1st day of November and the 31st day of July."

2. Amend H. B. 228 by striking from lines 9 and 10 of the printed bill the following: "between the 16th day of De-

cember and the 1st day of July'' and substituting in lieu thereof the following: ''between the 1st day of November and the 31st day of July.''

Said amendments were each agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | George Dunlap | Glenn W. Lane |
| Levi Baker | Clarence E. Evans | Alden L. Love |
| Harold L. Barnes | Rudy Ferguson | Herschel McKinley |
| Marshall Barnes | L. J. Gammon | C. C. McMasters |
| Robert E. Beatty | W. J. Garnett | Roy McWaters |
| Reuben J. Boling | Ferd A. Gnau | C. C. May |
| O. J. Bowen | J. S. Hall | J. S. Mattingly |
| Jas. C. Bright | W. Yancey Handy | L. B. Meadors |
| Corbett Brown | Judson Harmon | G. Samuel Milam |
| Wallace Brown | J. Joseph Hettinger | Rodes K. Myers |
| Hugh K. Bullitt | Dr. A. L. Hill | Steve Pieratt |
| Charles Chandler | John R. Hobbs | G. M. Pritchett |
| J. A. Coleman | Ira W. Hulette | Pat Rankin |
| Sidney J. Collins | G. C. Johnson | Lyle C. Tackett |
| Carroll L. Cropper | T. M. Johnson | Harry B. Thornton |
| G. Cunningham | J. H. King | J. Sterling Towles |
| W. J. Curtis | Leo King | Henry T. Ward |
| Harry Davis | John Kirtley | Robert E. Webb |
| R. A. Demunbrun | W. L. Knuckles, Jr. | J. B. Wicker |

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Those who voted in the negative were—

Wm. B. Belknap D. B. Coughlin —2

Resolved that the title thereof be as aforesaid.

Mr. Webb moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 670. An Act permitting Public School Tuition Contracts to be made by School District Boards of Education for pupils of any grade.

With Committee amendments thereto.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

When it appears to the board of education of any school district in this Commonwealth that it is convenient for any pupil child or children of any grade or grades residing in such district to attend an approved public school in another district, such board of education may enter into a tuition contract with the public school authorities of such other school district whereby such pupils may attend an approved school in such other district; but before such contract is entered into with public school authorities in another state, the school must have been approved by the state school authorities of such state through the grades in which such pupils belong.

Said amendments as offered by the Committee are as follows, viz.:

1. Amend H. B. 670 by adding at its close the following sentence: When a district undertakes under operation of a tuition contract or of law to provide in its school for pupils residing within another district, the district of their residence shall share the total cost of such school, including transportation when furnished at public expense, in proportion to the number of pupils or in accordance with contract agreement between the two boards.

2. Amend H. B. 670 by striking from its title the words "tuition contracts" and inserting in lieu thereof the words "service by contract or otherwise."

Amendment No. 1 as offered by the Committee was then agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Corbett Brown | W. J. Curtis |
| Levi Baker | Wallace Brown | Harry Davis |
| Harold L. Barnes | Hugh K. Bullitt | R. A. Demunbrun |
| Marshall Barnes | Charles Chandler | George Dunlap |
| Robert E. Beatty | J. A. Coleman | Clarence E. Evans |
| Wm. B. Belknap | Sidney J. Collins | Rudy Ferguson |
| Reuben J. Boling | D. B. Coughlin | L. J. Gammon |
| O. J. Bowen | Carroll L. Cropper | W. J. Garnett |
| Jas. C. Bright | G. Cunningham | Ferd A. Gnau |

| | | |
|---|---|---|
| J. S. Hall | Herschel McKinley | Waylon Rayburn |
| W. Yancey Handy | C. C. McMasters | W. P. Renfro |
| Judson Harmon | Roy McWaters | Avery Sartin |
| J. Joseph Hettinger | C. C. May | Jos. W. Schneider |
| Dr. A. L. Hill | J. S. Mattingly | John W. Taylor |
| John R. Hobbs | L. B. Meadors | Harry B. Thornton |
| Ira W. Hulette | G. Samuel Milam | J. Sterling Towles |
| G. C. Johnson | Clarence Miller | Starling B. Tracy |
| T. M. Johnson | W. H. Miller | Henry T. Ward |
| J. H. King | Tyler Munford | Robert E. Webb |
| Leo King | Rodes K. Myers | J. B. Wicker |
| John Kirtley | James I. Peters | B. M. Williams |
| W. L. Knuckles, Jr. | Pat Rankin | —65 |

The amendment to the title of said bill, as offered by the Committee was then agreed to.

Resolved that the title thereof be as amended.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 656. An Act to amend Section 2380 of the Kentucky Statutes and to amend and re-enact Sections 2380-7 and 2380-49a, and providing for the management, control and maintenance of public drains and ditches heretofore established and hereafter to be established in Kentucky and for the selection of one Commissioner to be chosen by the land owners from the several drainage districts established in each county of the Commonwealth, and defining the power and authority of such Commissioner and fixing salary to be paid to Commissioner and secretary of such drainage districts;

and also amending and re-enacting Section 2380-49a and providing how public ditches heretofore established or hereafter to be established in this Commonwealth may be discontinued as public drainage districts and public ditches.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 2380-7, Kentucky Statutes, Carroll's Edition 1930, be and the same is hereby amended and re-enacted by striking out said subsection and inserting in lieu thereof the following:

§ 7. In all counties in this Commonwealth where a public ditch, drain, levee or other improvement of similar character shall have been established under pre-existing laws, or may hereafter be established under this act, it shall be the duty of the County Clerk in every such county on the first Monday in May, 1934, to cause public notice to be given in his county by written or printed notices published and posted one at the courthouse door in the county seat of such county and others in at least one public place in each drainage district in his county, giving notice to all land owners whose lands are affected by assessments levied for the construction or maintenance of such public ditches, that a public meeting shall be held at the court house in such county seat on the first Monday of June, 1934, at which public meeting each land owner whose lands are so affected may attend and be entitled to vote therein; and at such meeting so to be held said land owners are hereby given authority and direction to select one competent, sober and discreet housekeeper who shall be a resident or shall own land in some drainage district in said county, and the person so selected shall constitute the Drainage Commission for said county; and that said Commissioner shall hold his term of office for a period of two years from the date of election and until his successor is elected and qualified in the same manner as hereinabove set out; and the

Commissioner shall execute a bond for the faithful performance of his duties in the penal sum of $5,000.00 and shall be sworn to faithfully perform the duties of his position to the best of his ability. Vacancy in said position of Commissioner shall be filled by the land owners in the several districts after due notice of vacancy has been published and posted in each drainage district.

Immediately upon his appointment and qualification as Commissioner he shall become and is hereby created a body corporate under the name and style Drainage Commissioner of ..... County, Kentucky. The blank to be filled in with the name of the county. As such Commissioner he shall have the right to acquire, hold, encumber, sell and convey such real estate personal property as shall be necessary to the conduct of his affairs as such Drainage Commissioner; and sue and be sued, contract and be contracted with, and shall possess such other powers and rights as usually pertain to corporations or as may be necessary to carry on his work under the provisions of this act. He shall have and use a corporate seal and may change same at pleasure. The salary of the Drainage Commissioner shall not exceed $200.00 a year, salary fixed by Fiscal Court. He shall appoint a secretary and fix his compensation, which shall not exceed $100.00 a year; and if no such secretary is appointed, the County Clerk of the county shall act as such and be ex officio secretary thereof and receive the salary and compensation herein fixed for that office for such service. The Commissioner shall act as treasurer of all funds levied and collected for the use and benefit of all public ditches, and he shall execute bond in the penal sum to be fixed by the Circuit Judge of the Judicial District wherein the new ditches are located. The said Drainage Commissioner shall have an office in the county seat of his county and provide said secretary with desk, stationery and record books as required, and shall on the first Monday in each month maintain an office for the purpose of transacting such business as may come under his jurisdiction. He shall

keep or cause to be kept complete records of his proceedings, which records shall be public records and at all times open to the inspection of the public. In addition to his salary as herein fixed, he shall be paid for extraordinary services approved by the Fiscal Court. The Commissioner shall have authority to act in all matters coming before him. Immediately upon the election of the Commissioner herein provided for and the qualification of the Commissioner for the seleval counties as heretofore provided for shall cease to exist, except as herein provided, and the Commissioner shall have and exercise all the powers, duties and functions of the Drainage Commissioner as heretofore established in this Commonwealth. The County Clerk shall be paid his fees and expenses in carrying out the provisions of this amendment, all payments herein provided for to be discharged out of the funds coming to the hands of Commissioner, and not otherwise appropriated.

49a. Discontinuance of Ditches.—If at any time a majority in number and amount of those assessed for the maintenance of any public ditch shall petition the county court for a discontinuance of said ditch as a public ditch, the judge shall docket the said petition upon the docket of his court which convenes not less than thirty days after the filing thereof with him, and issue notices and cause same to be served upon all parties interested that, at the next term of his court, he will consider the said petition, and if no valid reason is shown against the discontinuance of said ditch, said judge shall enter an order discontinuing same and after said order of discontinuance is entered, it shall cease to be a public ditch in this State, but an appeal may be had from the said order to the circuit court and to the Court of Appeals, as provided in the construction of ditches under the provisions of this act.

In the event any public ditch is returned to the patrons, the patrons shall call a public meeting of all patrons effected by said ditch to assemble at a designated place selected by the

Commissioner to choose three patrons to be appointed overseers of the said ditch according to the original assessment, and the Commissions shall receive a compensation not to exceed $100 per day for supervision of the said maintenance. The said Commissioners shall be elected for a period of one year from the date of election. Five or more ditch patrons shall call a meeting by petition to the said Commissioners.

For the purpose of enabling the county judge to give notice to those interested, the petition seeking the discontinuance of said ditch shall give the names of all persons interested in the maintenance of said ditch and owning lands within said drainage district.

All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Marshall Barnes offered the following amendment to said bill, viz.:

Amend H. B. 656 by striking out all of said bill except lines 71 to 95 inclusive of Section 49a, page 4, of the printed bill and except line 100 of page 5 of the printed bill.

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | George Dunlap | L. B. Meadors |
| Levi Baker | Clarence E. Evans | G. Samuel Milam |
| Harold L. Barnes | Rudy Ferguson | Clarence Miller |
| Marshall Barnes | W. J. Garnett | W. H. Miller |
| Robert E. Beatty | Ferd A. Gnau | Tyler Munford |
| Wm. B. Belknap | W. Yancey Handy | Rodes K. Myers |
| Reuben J. Boling | Judson Harmon | James I. Peters |
| O. J. Bowen | R. M. Harrison, Jr. | Waylon Rayburn |
| Jas. C. Bright | J. Joseph Hettinger | W. P. Renfro |
| Corbett Brown | Dr. A. L. Hill | Avery Sartin |
| Wallace Brown | John R. Hobbs | Jos. W. Schneider |
| Frank C. Bruton | Ira W. Hulette | Lafe J. Spencer |
| Hugh K. Bullitt | G. C. Johnson | Lyle C. Tackett |
| Charles Chandler | J. H. King | Harry B. Thornton |
| J. A. Coleman | Leo King | J. Sterling Towles |
| Sidney J. Collins | W. L. Knuckles, Jr. | Starling B. Tracy |
| D. B. Coughlin | Glenn W. Lane | Henry T. Ward |
| Carroll L. Cropper | Herschel McKinley | Robert E. Webb |
| W. J. Curtis | C. C. McMasters | J. B. Wicker |
| Harry Davis | C. C. May | B. M. Williams |
| R. A. Demunbrun | J. S. Mattingly | —62 |

Mr. Marshall Barnes offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 656 by striking therefrom lines 1, 2, 3, 4, 5, 6, 7, 8 and the first two words in line 9 of the title to the printed bill.

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Marshall Barnes moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body, entitled:

S. B. 257. An Act relating to the Primary System of Roads and Highways.

S. B. 266. An Act relating to the Primary System of Roads and Highways.

S. B. 268. An Act relating to the Primary System of Roads and Highways.

S. B. 269. An Act relating to the Primary System of Roads and Highways.

S. B. 270. An Act relating to the Primary System of Roads and Highways.

S. B. 271. An Act relating to the Primary System of Roads and Highways.

S. B. 272. An Act relating to the Primary System of Roads and Highways.

S. B. 283. An Act relating to the Primary System of Roads and Highways.

S. B. 285. An Act relating to the Primary System of Roads and Highways.

S. B. 286. An Act relating to the Primary System of Roads and Highways.

S. B. 288. An Act relating to the Primary System of Roads and Highways.

S. B. 306. An Act relating to the Primary System of Roads and Highways.

S. B. 332. An Act relating to the Primary System of Roads and Highways.

S. B. 328. An Act relating to the Primary System of Roads and Highways.

S. B. 329. An Act relating to the Primary System of Roads and Highways.

S. B. 338. An Act relating to the Primary System of Roads and Highways.

S. B. 339. An Act relating to the Primary System of Roads and Highways.

S. B. 333. An Act to amend Subdivision 1 of Article V of Chapter 32 of the Kentucky Statutes, by the inclusion therein of a new Section 768a, to be inserted after Section 768, etc.

S. B. 98. An Act relating to adopted children.

Ordered that said bills be printed and referred to Committee on Rules.

A message was received from the Senate announcing that they had passed bills which originated in this House, entitled:

H. B. 145. An Act to authorize county clerks as ex officio County Librarians to give to the University of Kentucky certain Library material at their discretion.

H. B. 230. An Act for acquiring, reconstructing, repairing and maintaining private passways in this Commonwealth.

H. B. 327. An Act relating to revenue and taxation; providing when occupational licenses shall become due and payable; providing for proportionate fees and issual of such license.

H. B. 531. An Act to amend Section 4706 of Chapter 141 of the Acts of 1918, amending Chapter 122 of the Acts of 1892, etc.

H. B. 144. An Act to authorize the State Librarian to furnish to the University of Kentucky certain duplicate documents, etc.

With an amendment thereto as proposed by the Senate.

Ordered that said last named bill, with amendment be referred to Committee on Rules.

H. B. 217. An Act relating to the Primary System of Roads and Highways.

H. B. 365. An Act relating to the Primary System of Roads and Highways.

H. B. 366. An Act relating to the Primary System of Roads and Highways.

H. B. 367. An Act relating to the Primary System of Roads and Highways.

H. B. 370. An Act relating to the Primary System of Roads and Highways.

H. B. 371. An Act relating to the Primary System of Roads and Highways.

H. B. 372. An Act relating to the Primary System of Roads and Highways.

H. B. 382. An Act relating of the Primary System of Roads and Highways.

H. B. 383. An Act relating to the Primary System of Roads and Highways.

H. B. 389. An Act relating to the Primary System of Roads and Highways.

H. B. 390. An Act relating to the Primary System of Roads and Highways.

H. B. 391. An Act relating to the Primary System of Roads and Highways.

H. B. 392. An Act relating to the Primary System of Roads and Highways.

H. B. 395. An Act relating to the Primary System of Roads and Highways.

H. B. 396. An Act relating to the Primary System of Roads and Highways.

H. B. 406. An Act relating to the Primary System of Roads and Highways.

H. B. 408. An Act relating to the Primary System of Roads and Highways.

H. B. 409. An Act relating to the Primary System of Roads and Highways.

H. B. 410. An Act relating to the Primary System of Roads and Highways.

H. B. 411. An Act relating to the Primary System of Roads and Highways.

H. B. 412. An Act relating to the Primary System of Roads and Highways.

H. B. 413. An Act relating to the Primary System of Roads and Highways.

H. B. 417. An Act relating to the Primary System of Roads and Highways.

H. B. 418. An Act relating to the Primary System of Roads and Highways.

H. B. 424. An Act relating to the Primary System of Roads and Highways.

H. B. 426. An Act relating to the primary System of Roads and Highways.

H. B. 427. An Act relating to the Primary System of Roads and Highways.

H. B. 445. An Act relating to the Primary System of Roads and Highways.

H. B. 446. An Act relating to the Primary System of Roads and Highways.

H. B. 447. An Act relating to the Primary System of Roads and Highways.

H. B. 448. An Act relating to the Primary System of Roads and Highways.

H. B. 450. An Act relating to the Primary System of Roads and Highways.

H. B. 455. An Act relating to the Primary System of Roads and Highways.

H. B. 457. An Act relating to the Primary System of Roads and Highways.

H. B. 458. An Act relating to the Primary System of Roads and Highways.

H. B. 459. An Act relating to the Primary System of Roads and Highways.

H. B. 460. An Act relating to the Primary System of Roads and Highways.

H. B. 465. An Act relating to the Primary System of

H. B. 475. An Act relating to the Primary System of Roads and Highways.

H. B. 479. An Act relating to the Primary System of Roads and Highways.

H. B. 480. An Act relating to the Primary System of Roads and Highways.

H. B. 482. An Act relating to the Primary System of Roads and Highways.

H. B. 486. An Act relating to the Primary System of Roads and Highways.

H. B. 487. An Act relating to the Primary System of Roads and Highways.

H. B. 488. An Act relating to the Primary System of Roads and Highways.

H. B. 490. An Act relating to the Primary System of Roads and Highways.

H. B. 491. An Act relating to the Primary System of Roads and Highways.

H. B. 492. An Act relating to the Primary System of Roads and Highways.

H. B. 493. An Act relating to the Primary System of Roads and Highways.

H. B. 502. An Act relating to the Primary System of Roads and Highways.

H. B. 505. An Act relating to the Primary System of Roads and Highways.

H. B. 506. An Act relating to the Primary System of Roads and Highways.

H. H. 507. An Act relating to the Primary System of Roads and Highways.

H. B. 508. An Act relating to the Primary System of Roads and Highways.

H. B. 510. An Act relating to the Primary System of Roads and Highways.

H. B. 511. An Act relating to the Primary System of Roads and Highways.

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H. B. 704. An Act relating to the Primary System of Roads and Highways.

H. B. 705. An Act relating to the Primary System of Roads and Highways.

H. B. 706. An Act relating to the Primary System of Roads and Highways.

Ordered that said bills be delivered to the Enrolling Clerk of this House with the exception of the one specifically set out above.

Mr. Love of the Committee on Enrollment reported that they had examined and found to be correctly enrolled bills of the following titles, viz.:

H. B. 60. An Act relating to change and fix time of holding terms of Circuit Court in 37th Judicial District.

H. B. 279. An Act relating to taxation of domestic life insurance companies.

H. B. 435. An Act relating to amend and re-enact Section 4134 of Kentucky Statutes—bonds of Sheriffs, etc.

H. B. 438. An Act relating to taxes and land sold for same and redemption of said land.

H. B. 436. An Act relating to bonds—discharge of sureties, etc.

H. B. 437. An Act relating to bonds of officers and fiduciaries.

H. B. 657. An Act relating to appropriate $250,000 to obtain land, caves, etc., in Mammoth Cave National Park Area.

H. B. 30. An Act relating to the Primary System of Roads and Highways.

H. B. 42. An Act relating to the Primary System of Roads and Highways.

H. B. 43. An Act relating to the Primary System of Roads and Highways.

H. B. 52. An Act relating to the Primary System of Roads and Highways.

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H. B. 111. An Act relating to the Primary System of Roads and Highways.

H. B. 117. An Act relating to the Primary System of Roads and Highways.

H. B. 132. An Act relating to the Primary System of Roads and Highways.

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H. B. 337. An Act relating to the Primary System of Roads and Highways.

H. B. 341. An Act relating to the Primary System of Roads and Highways.

H. B. 343. An Act relating to the Primary System of Roads and Highways.

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H. B. 350. An Act relating to the Primary System of Roads and Highways.

H. B. 351. An Act relating to the Primary System of Roads and Highways.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled and thereupon the Speaker in open session and in the presence of the House affixed his signature thereto.

Ordered that the Enrolling Clerk of this House deliver said bills to the Senate.

At the instance of the Committee on Rules, the following bills and resolutions were reported, viz.:

S. B. 257. An Act relating to the Primary System of Roads and Highways.

S. B. 266. An Act relating to the Primary System of Roads and Highways.

H. B. 268. An Act relating to the Primary System of Roads and Highways.

S. B. 269. An Act relating to the Primary System of Roads and Highways.

S. B. 270. An Act relating to the Primary System of Roads and Highways.

S. B. 271. An Act relating to the Primary System of Roads and Highways.

S. B. 272. An Act relating to the Primary System of Roads and Highways.

S. B. 283. An Act relating to the Primary System of Roads and Highways.

S. B. 285. An Act relating to the Primary System of Roads and Highways.

S. B. 286. An Act relating to the Primary System of Roads and Highways.

S. B. 288. An Act relating to the Primary System of Roads and Highways.

S. B. 306. An Act relating to the Primary System of Roads and Highways.

S. B. 332. An Act relating to the Primary System of Roads and Highways.

S. B. 328. An Act relating to the Primary System of Roads and Highways.

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S. B. 338. An Act relating to the Primary System of Roads and Highways.

S. B. 339. An Act relating to the Primary System of Roads and Highways.

S. B. 214. An Act relating to the Primary System of Roads and Highways.

S. B. 218. An Act relating to the Primary System of Roads and Highways.

S. B. 219. An Act relating to the Primary System of Roads and Highways.

S. B. 220. An Act relating to the Primary System of Roads and Highways.

S. B. 242. An Act relating to the Primary System of Roads and Highways.

S. B. 243. An Act relating to the Primary System of Roads and Highways.

S. B. 244. An Act relating to the Primary System of Roads and Highways.

S. B. 245. An Act relating to the Primary System of Roads and Highways.

S. B. 246. An Act relating to the Primary System of Roads and Highways.

S. B. 333. An Act to amend Subdivision 1 of Article V of Chapter 32 of the Kentucky Statutes, by the inclusion therein of a new section, 768a, to be inserted after Section 768, etc.

S. B. 98. An Act relating to adopted children.

H. B. 894. An Act to amend Section 2223b-2, Kentucky Statutes, 1930 Edition, relating to the incorporation of industrial banks, etc.

H. B. 893. An Act relating to the Primary System of Roads and Highways.

H. B. 768. An Act to regulate, control and fix standard weights of wheat flour and the size of packages containing same.

H. B. 776. An Act to repeal, amend and re-enact Section 2246 of the Kentucky Statutes, Carroll's 1930 Edition, and providing that jurors may be summoned by telephone, etc.

H. Res. 57. Resolution providing help for Jodie Oliver, etc.

H. Res. 74. Resolution authorizing Bud Philpott to sue the State Highway Commission and the Commonwealth of Kentucky.

H. Res. 49. Resolution authorizing H. G. Disney of Taylor, Kentucky, to sue the Commonwealth.

H. B. 804. An Act providing that the publication of a fair and impartial report of the publication of the whole or a fair synopsis of any bill, etc.

S. B. 346. An Act relating to higher education for colored persons.

S. B. 314. An Act to amend and re-enact "The Bingham Co-operative Marketing Act."

S. B. 219. An Act to amend and re-enact Section 1055 of Carroll's Kentucky Statutes relating to the record of Quarterly Courts, etc.

S. B. 281. An Act providing for fiscal courts to contract with Hospitals for the care of the Indigent.

S. B. 258. An Act to regulate sales of real estate held by trustees under express trusts.

S. B. 178. An Act to amend, revise and re-enact Chapter 116 of the Acts of the General Assembly of Kentucky Statutes, etc.

S. B. 110. An Act to amend and re-enact Section 4114i-13 of Kentucky Statutes, 1930 Edition, pertaining to the State Tax Commission.

S. B. 147. An Act enabling cities of the 1st, 4th, 5th, and 6th class to construct, purchase, operate and maintain a Municipal Light, Heat and Power Plant.

H. B. 875. An Act providing that the Commissioner of Agriculture, Labor and Statistics and Kentucky State Board of Agriculture shall have exclusive supervision and control over Kentucky State Fair, etc.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the Calendar.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 750. An Act to require health certificate for persons contracting marriage.

H. B. 792. An Act relating to the granting of relief in certain cases during the emergency declared to exist, from inequitable foreclosure of mortgages on real estate, etc.

H. B. 789. An Act to repeal Section 2438b-1, Kentucky Statutes, 1930 Edition, and Section 124a, Civil Code of Practice, both being Chapter 1 of the Acts of 1910, relating to libel and civil proceedings.

H. B. 854. An Act to amend and re-enact Chapter 127 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1922, entitled "An Act amending and re-enacting Section 564, Kentucky Statutes, relating to deposits in banks, etc.

H. B. 774. An Act to repeal Section 97 of the Carroll's

Kentucky Statutes, which is part of the Acts of the General Assembly of 1892, chapter 100.

H. B. 834. An Act granting to cities or towns within, the Commonwealth of Kentucky the right to lay and maintain pipes or conduits for the purpose of supplying water and/or gas, etc.

H. B. 875. An Act authorizing the Commissioner of Agriculture and State Board of Agriculture to supervise and control the State Fair.

S. B. 352. An Act relating to the appointment and removal of officers; repealing, amending and re-enacting Section 3750, Carroll's Kentucky Statutes, etc.

H. B. 887. An Act appropriating money for the operation and maintenance of the various departments, boards, commissions, institutions and agencies of the State Government of the Commonwealth of Kentucky for the fiscal years ending June 30, 1935, and June 30, 1936, designating the funds and sources from which said appropriations are to be paid, etc.

S. B. 126. An Act relating to the Primary System of Roads and Highways.

S. B. 210. An Act amending Section 2402 of Carroll's Kentucky Statutes, 1922 Edition, making the fiscal year of cities of the third class begin January 1 of each year.

S. Res. 38. Resolution authorizing Albert H. Bowen and Rose Bowen to sue the Commonwealth.

S. B. 235. An Act to amend Section 3235 c-2 of the Kentucky Statutes concerning Teacher's Pensions in cities of the 2nd Class, etc.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Dr. Hill moved that the Rules be suspended and that the House do now adjourn to meet again on Monday, March 12 at ten o'clock A. M.

Said motion was agreed to.

And then the House adjourned.

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MONDAY, MARCH 12, 1934.

The House was opened with prayer by the Reverend Bright of the county of Knox.

The roll was called and the following members answered to their names, viz.:

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| Henry H. Allen | J. A. Coleman | J. B. Floyd |
| Carroll D. Asbury | D. B. Coughlin | W. J. Garnett |
| Levi Baker | Joel T. Crenshaw | Ferd A. Gnau |
| Harold L. Barnes | Carroll L. Cropper | C. Gottschalk |
| Marshall Barnes | G. Cunningham | J. S. Hall |
| Robert E. Beatty | W. J. Curtis | W. Yancey Handy |
| Wm. B. Belknap | Harry Davis | Judson Harmon |
| Reuben J. Boling | R. A. Demunbrun | J. Joseph Hettinger |
| Jas. C. Bright | S. S. Dickson | Dr. A. L. Hill |
| Corbett Brown | George Dunlap | John R. Hobbs |
| Wallace Brown | Garland Embry | G. W. Howard |
| Hugh K. Bullitt | Clarence E. Evans | Ira W. Hulette |
| Charles Chandler | T. P. Fitzpatrick | G. C. Johnson |

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| F. P. Kessee | Clarence Miller | Jos. W. Schneider |
| J. H. King | H. H. Miller | Mrs. M. B. Scott |
| Leo King | W. H. Miller | Lafe J. Spencer |
| John Kirtley | James B. Milliken | Lyle C. Tackett |
| W. L. Knuckles, Jr. | Tyler Munford | John W. Taylor |
| Glenn W. Lane | Rodes K. Myers | Harry B. Thornton |
| Alden L. Love | James I. Peters | J. Sterling Towles |
| M. T. McCarthy | Steve Pieratt | Starling B. Tracy |
| Herschel McKinley | Kleber F. Price | Henry T. Ward |
| Roy McWaters | G. M. Pritchett | Robert E. Webb |
| C. C. May | Pat Rankin | J. B. Wicker |
| J. S. Mattingly | Waylon Rayburn | B. M. Williams |
| L. B. Meadors | W. P. Renfro | W. E. Rogers, Spr. |
| G. Samuel Milam | Avery Sartin | |

Mr. Rayburn moved that the reading of the Journal of Saturday's proceedings be dispensed with.

Said motion was agreed to.

Dr. Hill moved that the session of today be extended indefinitely.

Said motion was agreed to.

The Clerk produced and read the following communication, viz.:

Speaker W. E. Rogers,
House of Representatives,
Frankfort, Kentucky.

Resolved that the Executive Committee Kentucky Association Church related Colleges hereby respectfully petitions General Assembly to face its primary obligations of providing adequate common school fund. We feel that for the legislature to adjourn without making provision for public schools

is to confess failure of popular government and unwillingness to perform fundamental duty to provide for education of children no other duty compares with this duty. Children cannot wait for their education, hundreds of schools closed early this year and this lost education will never be made up by these children if they have been deprived of part of their heritage, next year unless adequate provision is made conditions will be infinitely worse. We appeal to every member of the legislature to turn deaf ears to every lobby seeking to avoid just taxes and to fulfill the supreme duty that rests upon them namely, to meet in full measure school needs of every child.

Charles J. Turck, President,
Maurice Seay, Secretary, Kentucky Association Church Related Colleges.

The Clerk produced and read the following resolution from the Fourth District of Kentucky Congress of Parents and Teachers, viz.:

A RESOLUTION by the Fourth District of Kentucky Congress of Parents and Teachers favoring adequate financial support for the public schools of the Commonwealth of Kentucky.

WHEREAS, it appears that the public schools of the State of Kentucky are facing a financial crisis due to decreased revenue and the possibility of legislation being enacted that will further reduce the revenue which has heretofore been received by the public schools, and

Whereas, the children of the Commonwealth of Kentucky will be deprived the privileges of proper educational advantages as a result of a decreased school revenue, and

*Therefore, Be It Resolved,* by the Fourth District of Kentucky Congress of Parent-Teacher Association, meeting in regular session at Elizabethtown, Kentucky, March 9, 1934, that it go on record as being in favor of:

(1) An adequate financial support for the public schools of the Commonwealth of Kentucky.

(2) An increase in the State per capita tax.

(3) The complete separation of the Common School Fund from the General Fund.

*Be It Further Resolved,* that a copy of these resolutions be mailed to the Clerk of the House of Representatives, the Clerk of the Senate Chamber, and to Hon. James H. Richmond, Superintendent of Public Instruction of the State of Kentucky.

Mary Eunice Shively, Chairman
Mrs. S. R. Ramey
H. C. Taylor

The House took up for consideration from the Calendar, bills of the following titles, viz.:

S. B. 257. An Act relating to the Primary System of Roads and Highways.

S. B. 266. An Act relating to the Primary System of Roads and Highways.

S. B. 268. An Act relating to the Primary System of Roads and Highways.

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S. B. 245. An Act relating to the Primary System of Roads and Highways.

S. B. 246. An Act relating to the Primary System of Roads and Highways.

S. B. 333. An Act to amend Subdivision 1 of Article V of Chapter 32 of the Kentucky Statutes, by the inclusion therein a new section, 768a, to be inserted after Section 768, etc.

S. B. 98. An Act relating to adopted children.

H. B. 894. An Act to amend Section 2223 b-2, Kentucky Statutes, 1930 Edition, relating to the incorporation of industrial banks, etc.

H. B. 893. An Act relating to the Primary System of Roads and Highways.

H. B. 768. An Act to regulate, control, and fix standard weights of wheat flour and the size of packages containing same.

H. B. 776. An Act to repeal, amend and re-enact Section

2246 of the Kentucky Statutes, Carroll's 1930 Edition, and providing that jurors may be summoned by telephone, etc.

H. Res. 57. Resolution providing help for Jodie Oliver, etc.

H. Res. 74. Resolution authorizing Bud Philpott to sue the State Highway Commission and the Commonwealth of Kentucky.

H. Res. 49. Resolution authorizing H. G. Disney of Taylor, Kentucky, to sue the Commonwealth.

H. B. 804. An Act providing that the publication of a fair and impartial report of the publication of the whole or a fair synopsis of any bill, etc.

S. B. 346. An Act relating to higher education for colored persons.

S. B. 314. An Act to amend and re-enact "The Bingham Co-operative Marketing Act."

S. B. 219. An Act to amend and re-enact Section 1055 of Carroll's Kentucky Statutes relating to the record of Quarterly Courts, etc.

S. B. 281. An Act providing for fiscal Courts to contract with Hospitals for the care of the Indigent.

S. B. 258. An Act to regulate sales of real estate held by trustees under express trusts.

S. B. 178. An Act to amend, revise and re-enact Chapter 116 of the Acts of the General Assembly of Kentucky Statutes, etc.

S. B. 110. An Act to amend and re-enact Section 4114i-13 of Kentucky Statutes, 1930 Edition, pertaining to the State Tax Commission.

S. B. 147. An Act enabling cities of the 1st, 4th, 5th, and 6th class to construct, purchase, operate and maintain a Municipal Light, Heat and Power Plant.

H. B. 875. An Act providing that the Commissioner of Agriculture, Labor and Statistics and Kentucky State Board of Agriculture shall have exclusive supervision and control over Kentucky State Fair, etc.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

The hour of twelve o'clock Meridian, having arrived, Dr. Hill moved that the House do now recess until one-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

## AFTERNOON SESSION.

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 846. An Act to accept title to the estate of Eleanor Holmes Lindsay.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That the Commonwealth of Kentucky hereby accepts title to the Eleanor Holmes Lindsay estate, known as "Lanark Linds," and its surrounding grounds on the corner of Wapping and Wilkerson Streets in the City of Frankfort, Kentucky, and containing the contents thereof devised to the Commonwealth of Kentucky, by the last will and testament of Eleanor Holmes Lindsay. The said lands described in said will, together with the buildings and appurtenances thereon, subject to the limitations herein contained, shall be dedicated to the purpose of a memorial to be known as "The Lindsay-Holmes Memorial."

§ 2. For the purpose of receiving and holding title to said property, for and in behalf of the Commonwealth of Kentucky, and for the purpose of managing and conducting same as a memorial, there is hereby created a Commission to be known as "The Lindsay-Holmes Memorial," which Commission shall be a body corporate with power to sue and be sued, contract and be contracted with in its corporate name aforesaid. Said Commission shall be composed of the wife of the Governor and eight other members, each of whom shall be a female and a resident of the Commonwealth of Kentucky, and must be conversant with the history of the memorial. Not more than four of the members of said Commission shall be members of the same political party.

§ 3. Said Commission shall be appointed by the Governor. Of the first Commission, appointed under the provisions of this act, two members shall serve for a period of two years from the date of their appointment, two for a period of four years from the date of their appointment, two for a period of six years from the date of their appointment, and two for a period of eight years, and thereafter two Commissioners shall be appointed every two years for terms of eight

years each, and any Commissioner shall be eligible for reappointment. No member of the Commission shall be held to be a public officer by reason of his membership on said Commission. Said Commission shall serve without compensation, and a majority of the said Commission shall constitute a quorum to transact business.

§ 4. The said Lindsay-Holmes Memorial Commission shall be attached to the Department of Public Property, but shall exercise all the powers, duties and functions vested in it by this Act.

§ 5. Said Commission shall have the power to receive donations and gifts for the improvement or maintenance of said memorial. All sums received in the way of donations and gifts shall be used by the Commission for the improvement and maintenance of said memorial.

§ 6. The wife of the Governor of Kentucky shall be chairwoman of the Commission, but the Commission shall elect one of its own members as vice-chairwoman to act as such in the absence of the regular chairwoman. The chairwoman shall have power to call a meeting of the Commission at her pleasure. A majority of the members of the Commission shall have power to call a meeting of the Commission independent of the action of the regular chairwoman, but she shall be notified of a call made in this manner. If for any reason the office of chairwoman should become vacant, then the Commission shall select its own chairwoman. The regular meeting place of the Commission shall be in the building, but the Commission may hold other meetings elsewhere in the State.

§ 7. There is hereby appropriated to "The Lindsay-Holmes Memorial," out of the general revenues of the State not otherwise appropriated, a sum not to exceed Fifteen Thousand Dollars ($15,000.00), the proceeds of which shall be used to pay the debts against the estate of Eleanor Holmes Lindsay, and to repair the property, and not otherwise. Said sum shall not be paid until and unless simultaneously with

the payment thereof the title to said property is clear and unencumbered and not then until and unless the Governor of this Commonwealth and the Attorney General of this Commonwealth shall requisition the Auditor of Public Accounts to draw his warrant on the Treasurer for use of said appropriation for the purposes aforesaid. There is also appropriated out of the general revenues of the State not otherwise appropriated, the sum of not to exceed Five Thousand ($5,000) Dollars, the proceeds of which shall be used to obtain the quit-claim deed from Lena Taylor Chapman, nearest heir at law of Eleanor Holmes Lindsay, and the release of all other adverse claims, against said estate. No part of this sum shall, however, be paid until such quit-claim deeds are obtained and approved by the Attorney General and not then until the Governor of this Commonwealth and the Attorney General of the Commonwealth requisition of Auditor of Public Accounts to draw his warrant on the Treasurer for the payment of same.

§ 8. The Commission shall elect a treasurer to handle such funds as may come into his hands, but these funds shall, within not less than three days from receipt thereof be covered into the State Treasury. The treasurer shall be required to execute bond in a sum not less than One Thousand Dollars ($1,000.00), to be approved by the Governor. The Commission may also elect a secretary, but neither the secretary nor the treasurer is to draw any salary.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen Robert E. Beatty Wm. B. Belknap

| | | |
|---|---|---|
| O. J. Bowen | Ferd A. Gnau | Alden L. Love |
| Hugh K. Bullitt | C. Gottschalk | G. Samuel Milam |
| Mrs. Cecil Cantrill | W. Yancey Handy | James B. Milliken |
| J. A. Coleman | Judson Harmon | Tyler Munford |
| Carroll L. Cropper | Dr. A. L. Hill | Rodes K. Myers |
| W. J. Curtis | Ira W. Hulette | Waylon Rayburn |
| J. B. Floyd | G. C. Johnson | Lafe J. Spencer |
| Kelly J. Francis | F. P. Kessee | Starling B. Tracy |
| Ralph Gilbert | Leo King | —29 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Carroll D. Asbury | J. S. Hall | Richard H. Nufer |
| Levi Baker | Frank Harris | Robert A. Persky |
| Harold L. Barnes | R. M. Harrison, Jr. | James I. Peters |
| Marshall Barnes | J. Joseph Hettinger | M. D. Phelps |
| B. F. Bedford | John R. Hobbs | Steve Pieratt |
| Jas. C. Bright | G. W. Howard | Kleber F. Price |
| Corbett Brown | T. M. Johnson | G. M. Pritchett |
| Wallace Brown | J. H. King | Pat Rankin |
| Frank C. Bruton | John Kirtley | Avery Sartin |
| Charles Chandler | W. L. Knuckles, Jr. | Jos. W. Schneider |
| Sidney J. Collins | Glenn W. Lane | Mrs. M. B. Scott |
| Joel T. Crenshaw | George R. McIntosh | Harry Sparks |
| G. Cunningham | Herschel McKinley | Lyle C. Tackett |
| Harry Davis | C. C. McMasters | John W. Taylor |
| S. S. Dickson | Roy McWaters | Elmore J. Thomas |
| George Dunlap | C. C. May | Harry B. Thornton |
| Garland Embry | J. S. Mattingly | Henry T. Ward |
| Clarence E. Evans | L. B. Meadors | Robert E. Webb |
| Rudy Ferguson | H. H. Miller | J. B. Wicker |
| T. P. Fitzpatrick | W. H. Miller | —59 |

Mr. Handy moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 725. An Act repealing Section 2739f-4 of the 1933 Supplement of the Kentucky Statutes, including all and singular subsections thereof, being all of Chapter 36 of the Acts of the General Assembly of 1932, and enacting in lieu thereof an act creating a Commission of nine members, to be known as "My Old Kentucky Home Commission"; fixing the qualifications and terms of office of the members of said Commission, and prescribing the powers and duties of said Commission.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. Section 2739f-4, Kentucky Statutes, including all and singular subsections thereof, being Chapter 36 of the Acts of the General Assembly of 1932, be and the same is hereby repealed.

§ 2. For the purpose of receiving and holding title to the property conveyed to "My Old Kentucky Home Commission," created and organized by Chapter 26 of the Acts of the General Assembly of 1922, located in Nelson County, Kentucky, for and in behalf of the Commonwealth of Kentucky, and for the purpose of managing and conducting same as a memorial, there is hereby created a Commission to be known as "My Old Kentucky Home Commission." Said Commission shall be a body corporate with power to sue and be sued, contract and be contracted with in its corporate name aforesaid. It shall be composed of the Governor of the Commonwealth and eight other members, each of whom shall be a resident of Kentucky and conversant with the history of the Commonwealth. Not more than four members of said Commission shall be members of the same political party nor of the same religious denomination.

§ 3. Said commission shall be appointed by the Governor. Of the first commission appointed under the provisions of this act two members shall serve for a period of two years from the date of their appointment, two for a period of four years from the date of their appointment, two for a period of six years from the date of their appointment, and two for a period of eight years, and thereafter, two commissioners shall be appointed every two years for terms of eight years each, and any commissioner shall be eligible for re-appointment. No member of the commission shall be held to be a public officer by reason of his membership on said commission. Said commission shall serve without compensation and a majority of the said commission shall constitute a quorum to transact business.

§ 4. The Governor shall be *ex officio* chairman of the commission, but the commission shall elect one of its members as vice chairman to act as chairman in the absence of the Governor. The chairman shall have the power to call a meeting of the commission at his pleasure. A majority of the members of the commission shall have power to call a meeting of the commission independent of the action of the Governor, but he shall be notified of a called meeting in this manner. The regular meeting of the commission shall be at "My Old Kentucky Home" near Bardstown, but other meetings may be held elsewhere in the state.

§ 5. The commission is hereby empowered and authorized to employ such assistants and employees and incur such other expenses as it may deem necessary to efficiently and economically discharge the duties imposed upon it by law. Such expenditures shall be paid out of the State Treasury upon certification to the Auditor of Public Accounts by the Commission, or by such member or members as it may designate, and upon the warrant of the Auditor of Public Accounts. Same shall be charged to the appropriation which may be made by the General Assembly for the use and benefit of the commission.

§ 6. All money received by the Commonwealth shall be deposited with the Treasurer of the State and paid out as provided aforesaid.

§ 7. Nothing in this act shall be construed as revoking or withdrawing the acceptance of title to the estate known as "Federal Hill," together with all of the buildings and appurtenances thereon, including the mansion house, which estate is more particularly described in a deed of conveyance made on the 22nd day of March, 1931, by and between Mrs. Madge Frost, party of the first part, and the members of the Old Kentucky Home Commission, parties of the second part; which deed is of record in the office of the clerk of the county court of Nelson County in Deed Book No. 88, at page 580; which acceptance of title is expressly made by the General Assembly by Section 1, Chapter 26 of the Acts of the General Assembly of 1922.

§ 8. The Commission created and provided for in this Act shall succeed to all the rights, powers, privileges and duties of this Commission appointed pursuant to the provisions of Chapter 36 of the Acts of the General Assembly of 1932; and shall succeed to and be vested with the title to all the property, money, subscriptions, donations and estate, of said former Commission.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Harold L. Barnes | B. F. Bedford |
| Carroll D. Asbury | Robert E. Beatty | Reuben J. Boling |

| | | |
|---|---|---|
| O. J. Bowen | Judson Harmon | G. Samuel Milam |
| Jas. C. Bright | Frank Harris | Clarence Miller |
| Corbett Brown | R. M. Harrison, Jr. | W. H. Miller |
| Wallace Brown | J. Joseph Hettinger | Rodes K. Myers |
| Frank C. Bruton | Dr. A. L. Hill | Richard H. Nufer |
| Hugh K. Bullitt | John R. Hobbs | Robert A. Persky |
| Charles Chandler | G. W. Howard | M. D. Phelps |
| J. A. Coleman | Ira W. Hulette | Steve Pieratt |
| Carroll L. Cropper | G. C. Johnson | Waylon Rayburn |
| G. Cunningham | T. M. Johnson | Avery Sartin |
| W. J. Curtis | F. P. Kessee | Lyle C. Tackett |
| R. A. Demunbrun | J. H. King | John W. Taylor |
| Garland Embry | Leo King | Elmore J. Thomas |
| Rudy Ferguson | W. L. Knuckles, Jr. | J. Sterling Towles |
| T. P. Fitzpatrick | Glenn W. Lane | Starling B. Tracy |
| W. J. Garnett | M. T. McCarthy | Henry T. Ward |
| F'erd A. Gnau | George R. McIntosh | Robert E. Webb |
| C. Gottschalk | C. C. McMasters | B. M. Williams |
| J. S. Hall | C. C. May | |
| W. Yancey Handy | L. B. Meadors | —61 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | Ralph Gilbert | Kleber F. Price |
| Marshall Barnes | Alden L. Love | G. M. Pritchett |
| Sidney J. Collins | Herschel McKinley | Pat Rankin |
| Joel T. Crenshaw | Roy McWaters | Jos. W. Schneider |
| George Dunlap | J. S. Mattingly | Mrs. M. B. Scott |
| Clarence E. Evans | H. H. Miller | Harry Sparks |
| J. B. Floyd | James B. Milliken | Harry B. Thornton |
| Kelly J. Francis | James I. Peters | J. B. Wicker |

Resolved that the title thereof be as aforesaid.

Mr. Clarence Miller moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. Res. 36. Resolution providing for the purchase of copies of the Legislative Digest.

Said resolution is as follows, viz.:

RESOLUTION providing for the purchase of copies of the Legislative Digest adopted at the session of one thousand nine hundred and twelve, and every succeeding session since that date, as the official publication for the General Assembly and State and certain other public officials.

Whereas, it is a matter of importance and convenience that each Senator and Representative be advised as to the various and detailed steps of legislation; and,

Whereas, This General Assembly for the past fourteen sessions has approved and adopted as its official publication "The Legislative Digest," a publication under the editorship and management of competent and experienced persons, the purpose of which is to fully advise from day to day the officials and public of the Commonwealth as to matters affecting them in an intelligent and prompt manner; therefore,

*Be it Resolved by the Senate of Kentucky, the House of Representatives concurring:*

That the publishers of the Legislative Digest are hereby directed to furnish daily a copy to each member and the clerks of the General Assembly, and to the heads of each State Department during the time of this session. That the publishers are allowed the sum of Ten Dollars for each subscription for the Session and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for said amount when such service has been concluded. The total number shall not exceed two hundred (200) copies, which are to be paid for under this resolution.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | J. B. Floyd | George R. McIntosh |
| Carroll D. Asbury | Kelly J. Francis | C. C. McMasters |
| Levi Baker | W. J. Garnett | Roy McWaters |
| Harold L. Barnes | Ralph Gilbert | C. C. May |
| Robert E. Beatty | Ferd A. Gnau | L. B. Meadors |
| B. F. Bedford | C. Gottschalk | G. Samuel Milam |
| Reuben J. Boling | J. S. Hall | Clarence Miller |
| O. J. Bowen | W. Yancey Handy | H. H. Miller |
| Jas. C. Bright | Judson Harmon | W. H. Miller |
| Corbett Brown | Frank Harris | James B. Milliken |
| Wallace Brown | R. M. Harrison, Jr. | Tyler Munford |
| Frank C. Bruton | J. Joseph Hettinger | Richard H. Nufer |
| Hugh K. Bullitt | Dr. A. L. Hill | Robert A. Persky |
| Mrs. Cecil Cantrill | John R. Hobbs | James I. Peters |
| Charles Chandler | G. W. Howard | M. D. Phelps |
| J. A. Coleman | Ira W. Hulette | Steve Pieratt |
| Joel T. Crenshaw | G. C. Johnson | Kleber F. Price |
| Carroll L. Cropper | T. M. Johnson | G. M. Pritchett |
| G. Cunningham | F. P. Kessee | Pat Rankin |
| W. J. Curtis | J. H. King | Waylon Rayburn |
| Harry Davis | Leo King | W. P. Renfro |
| R. A. Demunbrun | John Kirtley | Avery Sartin |
| S. S. Dickson | W. L. Knuckles, Jr. | Jos. W. Schneider |
| Garland Embry | Glenn W. Lane | Mrs. M. B. Scott |
| Clarence E. Evans | Alden L. Love | Harry Sparks |
| Rudy Ferguson | M. T. McCarthy | Lafe J. Spencer |

| | | | |
|---|---|---|---|
| Lyle C. Tackett | Harry B. Thornton | Henry T. Ward | |
| John W. Taylor | J. Sterling Towles | J. B. Wicker | |
| Elmore J. Thomas | Starling B. Tracy | | —83 |

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 72. Resolution providing for payment of money to Alpha Nelson, etc., for jury services rendered.

Said resolution is as follows, viz.:

A RESOLUTION providing for the payment of money to Alpha Nelson, Anna Mayo, T. Y. Martin, Ella Neeley, Wess Pigman, Katie McGuire, W. L. Golden, H. J. Music, Frank Derossett, Minifee Whitaker, J. D. Belcher, Anthony Clevenger, Bert Frasure, Belle Scutchfield, W. M. Cartmell, Norman Holbrook, Perdue Morgan, Ada Alley, Seymore Garrett, Bascom Robinson, George Bingham, George Campbell, Arthur Goble, Jeff Short, N. P. Shepherd, Noah Porter, M. M. Moore, Ballard Scalf, J. L. Honaker, L. D. Layne, W. P. Hays, Dave Burchett, T. W. Smith, Wash Miller, Lee Robinson, George Meade, Mims Conn, John L. Layne, Taulbee Harmon, Anna Spurlock, Jossie Leek, A. C. Harlowe, G. B. Newman, Azza Hall, Nellie Crum, W. M. Sherman, Amanda May, Levada Arms, Maude Sherman, John Scott, Montain Clark, Jim Meade, J. C. Coburn, Andy Stephens, Alex Clark, Alex Wallen, Wilburn Hall, Taylor Merritt, Gus Holbrook, Allen Akers, Alice Litz, Harry Baisden, Ike Conn, Henry Porter, W. V. Woods, Mary George, Charlie Slone, Willie Hall, John Sizemore, Levada Burke, Press Hall, Maggie Hatcher, T. M.

Hereford, Mollie Dingus, J. J. Thomas, Malcolm Harris, P. D. Lafferty, Anna Hale, Alex Harmon, W. R. Lafferty, Dutch Webb, Miles Mayo, W. M. Vanderpool, W. M. Lafferty, Ellen Garrett, Bob Marshall, Coon Derossett, Nathan Ousley, Polly Prater, W. S. Clark, John Ousley, Will Tackett, Lillie Harris, Johnny Holbrook, T. A. Spradlin, Ethel Stephens, Will Merritt, Layne Compton, Clarcey Hall, Wes Music, Susan Martin, W. L. Akers, Cora Woods, Johnny Lafferty, Melvin Moore, Lula Dingus, for jury services rendered by them at the regular January term, 1932, of the Floyd Circuit Court.

Whereas, at the regular January term, 1932, of the Floyd Circuit Court, which was in session for sixty days, C. B. Wheeler, Judge of said court, caused the Sheriff of said county to summon the following named persons for jury service, who served as jurors the number of days and nights set out opposite their names, and at the close of said term were allowed the amount authorized by Statute for each of said days days and nights, which claim was allowed and a claim therefor approved by the presiding Judge of said court and certified to the Auditor of Public Accounts for payment to each of said jurors in the amount set opposite their names, to wit:

| | | | |
|---|---|---|---|
| Alpha Nelson | 48 days | 3 nights | $147.00 |
| Anna Mayo | 48 days | 1 night | 145.00 |
| T. Y. Martin | 48 days | 1 night | 145.00 |
| Ella Neeley | 48 days | | 144.00 |
| Wess Pigman | 43 days | 10 nights | 139.00 |
| Katie McQuire | 48 days | 9 nights | 153.00 |
| W. L. Golden | 8 days | 5 nights | 29.00 |
| H. J. Music | 3 days | 2 nights | 11.00 |
| Frank Derossett | 6 days | 3 nights | 21.00 |
| Minifee Whitaker | 4 days | 2 nights | 14.00 |
| J. D. Belcher | 3 days | 2 nights | 11.00 |
| Anthony Clevenger | 3 days | 2 nights | 11.00 |
| Bert Frasure | 9 days | 6 nights | 33.00 |
| Belle Scutchfield | 16 days | 13 nights | 61.00 |

| | | | |
|---|---|---|---|
| W. M. Cartmell | 5 days | 4 nights | 19.00 |
| Norman Holbrook | 5 days | 4 nights | 19.00 |
| Perdue Morgan | 15 days | 12 nights | 56.00 |
| Ada Alley | 5 days | 4 nights | 19.00 |
| Seymour Garrett | 2 days | 1 night | 7.00 |
| Bascom Robinson | 4 days | 3 nights | 15.00 |
| George Bingham | 4 days | 3 nights | 15.00 |
| George Campbell | 13 days | 10 nights | 49.00 |
| Arthur Goble | 6 days | 3 nights | 21.00 |
| Jeff Short | 3 days | 2 nights | 11.00 |
| N. P. Shepherd | 2 days | 1 night | 7.00 |
| Noah Porter | 5 days | 4 nights | 19.00 |
| M. M. Moore | 3 days | 1 night | 9.00 |
| Ballard Scalf | 7 days | 4 nights | 23.00 |
| J. L. Honaker | 6 days | 4 nights | 21.00 |
| L. D. Layne | 6 days | 4 nights | 21.00 |
| W. P. Hays | 5 days | 4 nights | 19.00 |
| Dave Burchett | 1 day | | 3.00 |
| T. W. Smith | 2 days | | 6.00 |
| Wash Miller | 2 days | | 5.00 |
| Lee Robinson | 2 days | | 5.00 |
| George Meade | 11 days | 9 nights | 42.00 |
| Mims Conn | 2 days | 1 night | 7.00 |
| John L. Layne | 2 days | 1 night | 7.00 |
| Taulbee Harmon | 2 days | 1 night | 7.00 |
| Anna Spurlock | 2 days | 1 night | 7.00 |
| Jossie Leek | 9 days | 8 nights | 35.00 |
| A. C. Harlowe | 9 days | 8 nights | 35.00 |
| G. B. Newman | 9 days | 8 nights | 35.00 |
| Azza Hall | 9 days | 8 nights | 35.00 |
| Nellie Crum | 9 days | 8 nights | 35.00 |
| W. M. Sherman | 10 days | 8 nights | 37.00 |
| Amanda May | 9 days | 8 nights | 35.00 |
| Lavada Arms | 9 days | 8 nights | 35.00 |
| Maude Sherman | 10 days | 8 nights | 37.00 |
| John Scott | 1 day | | 3.00 |

| | | | |
|---|---|---|---|
| Montain Clark | 3 days | 1 night | 10.00 |
| Jim Meade | 1 day | | 3.00 |
| J. C. Coburn | 1 day | | 3.00 |
| Andy Stephens | 1 day | | 3.00 |
| Alex Clark | 1 day | | 3.00 |
| Alex Wallen | 1 day | | 3.00 |
| Wilburn Hall | 1 day | | 3.00 |
| Malcom Harris | 4 days | 3 nights | 15.00 |
| Taylor Merritt | 1 day | | 2.00 |
| Gus Holbrook | 2 days | | 4.00 |
| Allen Akers | 2 days | | 4.00 |
| Alice Litz | 2 days | | 4.00 |
| Harry Baisden | 3 days | | 6.00 |
| Ike Conn | 1 day | | 2.00 |
| Henry Porter | 2 days | | 4.00 |
| W. V. Woods | 2 days | | 4.00 |
| Mary George | 2 days | | 4.00 |
| Charlie Slone | 1 day | | 2.00 |
| Willie Hall | 1 day | | 2.00 |
| John Sizemore | 1 day | | 2.00 |
| Levada Burke | 1 day | | 2.00 |
| Press Hall | 1 day | | 2.00 |
| Maggie Hatcher | 1 day | | 2.00 |
| T. M. Hereford | 1 day | | 2.00 |
| Mollie Dingus | 1 day | | 2.00 |
| J. J. Thomas | 2 days | | 4.00 |
| Malcom Harris | 1 day | | 2.00 |
| P. D. Lafferty | 1 day | | 2.00 |
| Anna Hale | 1 day | | 2.00 |
| Alex Harmon | 1 day | | 2.00 |
| W. R. Lafferty | 1 day | | 2.00 |
| Dutch Webb | 1 day | | 2.00 |
| Miles Mayo | 1 day | | 2.00 |
| W. M. Vanderpool | 1 day | | 2.00 |
| W. M. Lafferty | 1 day | | 2.00 |
| Ellen Garrett | 1 day | | 2.00 |

| | | |
|---|---|---|
| Bob Marshall | 1 day | 2.00 |
| Coon Derossett | 1 day | 2.00 |
| Nathan Ousley | 1 day | 2.00 |
| Polly Prater | 1 day | 2.00 |
| W. S. Clark | 1 day | 2.00 |
| John Ousley | 1 day | 2.00 |
| Will Tackett | 1 day | 2.00 |
| Lillie Harris | 1 day | 2.00 |
| Johnny Holbrook | 2 days | 4.00 |
| T. A. Spradlin | 1 day | 2.00 |
| Ethel Stephens | 1 day | 2.00 |
| Will Merritt | 1 day | 2.00 |
| Layne Compton | 1 day | 2.00 |
| Clarcey Hall | 1 day | 2.00 |
| Wes Music | 1 day | 2.00 |
| Susan Martin | 1 day | 2.00 |
| W. L. Akers | 1 day | 2.00 |
| Cora Woods | 1 day | 2.00 |
| Johnny Lafferty | 1 day | 2.00 |
| Melvin Moore | 1 day | 2.00 |
| Lula Dingus | 1 day | 2.00 |

and,

Whereas, the Auditor of Public Accounts of the Commonwealth of Kentucky refused to pay said jurors for the reason that thirty regular jurors had served during said term, which jurors were paid by the said Auditor; and

Whereas, all of said persons named herein, except the first six, served as bystanders in the trial of various felony cases where the regular panel were disqualified; and

Whereas, each and all of said persons were summoned by the Sheriff of said county under the direction of the presiding Judge of the Floyd Circuit Court and responded to said summons and order of the Floyd Circuit Court and rendered to the Commonwealth of Kentucky and said court faithful and efficient jury service, paying their expenses while attending said court as jurors; Now, Therefore,

*Be it Resolved by the General Assembly of the Commonwealth of Kentucky:*

That the following named persons who served as jurors of the Floyd Circuit Court for the number of days and nights set opposite their names be paid the amount set opposite their respective names, to-wit:

| | | | |
|---|---|---|---|
| Alpha Nelson | 48 days | 3 nights | $147.00 |
| Anna Mayo | 48 days | 1 night | 145.00 |
| T. Y. Martin | 48 days | 1 night | 145.00 |
| Ella Neeley | 48 days | | 144.00 |
| Wess Pigman | 43 days | 10 nights | 139.00 |
| Katie McGuire | 48 days | 9 nights | 153.00 |
| W. L. Golden | 8 days | 5 nights | 29.00 |
| H. J. Music | 3 days | 2 nights | 11.00 |
| Frank Derossett | 6 days | 3 nights | 21.00 |
| Minifee Whitaker | 4 days | 2 nights | 14.00 |
| J. D. Belcher | 3 days | 2 nights | 11.00 |
| Anthony Clevenger | 3 days | 2 nights | 11.00 |
| Bert Frasure | 9 days | 6 nights | 33.00 |
| Belle Scutchfield | 16 days | 13 nights | 61.00 |
| W. M. Cartmell | 5 days | 4 nights | 19.00 |
| Norman Holbrook | 5 days | 4 nights | 19.00 |
| Perdue Morgan | 15 days | 12 nights | 56.00 |
| Ada Alley | 5 days | 4 nights | 19.00 |
| Seymour Garrett | 2 days | 1 night | 7.00 |
| Bascom Robinson | 4 days | 3 nights | 15.00 |
| George Bingham | 4 days | 3 nights | 15.00 |
| George Campbell | 13 days | 10 nights | 49.00 |
| Arthur Goble | 6 days | 3 nights | 21.00 |
| Jeff Short | 3 days | 2 nights | 11.00 |
| N. P. Shepherd | 2 days | 1 night | 7.00 |
| Noah Porter | 5 days | 4 nights | 19.00 |
| M. M. Moore | 3 days | 1 night | 9.00 |
| Ballard Scalf | 7 days | 4 nights | 23.00 |
| J. L. Honaker | 6 days | 4 nights | 21.00 |
| L. D. Layne | 6 days | 4 nights | 21.00 |

| | | | |
|---|---|---|---|
| W. P. Hays | 5 days | 4 nights | 19.00 |
| Dave Burchett | 1 day | | 3.00 |
| T. W. Smith | 2 days | | 6.00 |
| Wash Miller | 2 days | | 5.00 |
| Lee Robinson | 2 days | | 5.00 |
| George Meade | 11 days | 9 nights | 42.00 |
| Mims Conn | 2 days | 1 night | 7.00 |
| John L. Layne | 2 days | 1 night | 7.00 |
| Taulbee Harmon | 2 days | 1 night | 7.00 |
| Anna Spurlock | 2 days | 1 night | 7.00 |
| Jossie Leek | 9 days | 8 nights | 35.00 |
| A. C. Harlowe | 9 days | 8 nights | 35.00 |
| G. B. Newman | 9 days | 8 nights | 35.00 |
| Azza Hall | 9 days | 8 nights | 35.00 |
| Nellie Crum | 9 days | 8 nights | 35.00 |
| W. M. Sherman | 10 days | 8 nights | 37.00 |
| Amanda May | 9 days | 8 nights | 35.00 |
| Lavada Arms | 9 days | 8 nights | 35.00 |
| Maude Sherman | 10 days | 8 nights | 37.00 |
| John Scott | 1 day | | 3.00 |
| Montain Clark | 3 days | 1 night | 10.00 |
| Jim Meade | 1 day | | 3.00 |
| J. C. Coburn | 1 day | | 3.00 |
| Andy Stephens | 1 day | | 3.00 |
| Alex Clark | 1 day | | 3.00 |
| Alex Wallen | 1 day | | 3.00 |
| Wilburn Hall | 1 day | | 3.00 |
| Malcom Harris | 4 days | 3 nights | 15.00 |
| Taylor Merritt | 1 day | | 2.00 |
| Gus Holbrook | 2 days | | 4.00 |
| Allen Akers | 2 days | | 4.00 |
| Alice Litz | 2 days | | 4.00 |
| Harry Baisden | 3 days | | 6.00 |
| Ike Conn | 1 day | | 2.00 |
| Henry Porter | 2 days | | 4.00 |
| W. V. Woods | 2 days | | 4.00 |

| | | |
|---|---|---|
| Mary George | 2 days | 4.00 |
| Charlie Slone | 1 day | 2.00 |
| Willie Hall | 1 day | 2.00 |
| John Sizemore | 1 day | 2.00 |
| Levada Burke | 1 day | 2.00 |
| Press Hall | 1 day | 2.00 |
| Maggie Hatcher | 1 day | 2.00 |
| T. M. Hereford | 1 day | 2.00 |
| Mollie Dingus | 1 day | 2.00 |
| J. J. Thomas | 2 days | 4.00 |
| Malcom Harris | 1 day | 2.00 |
| P. D. Lafferty | 1 day | 2.00 |
| Anna Hale | 1 day | 2.00 |
| Alex Harmon | 1 day | 2.00 |
| W. R. Lafferty | 1 day | 2.00 |
| Dutch Webb | 1 day | 2.00 |
| Miles Mayo | 1 day | 2.00 |
| W. M. Vanderpool | 1 day | 2.00 |
| W. M. Lafferty | 1 day | 2.00 |
| Ellen Garrett | 1 day | 2.00 |
| Bob Marshall | 1 day | 2.00 |
| Coon Derossett | 1 day | 2.00 |
| Nathan Ousley | 1 day | 2.00 |
| Polly Prater | 1 day | 2.00 |
| W. S. Clark | 1 day | 2.00 |
| John Ousley | 1 day | 2.00 |
| Will Tackett | 1 day | 2.00 |
| Lillie Harris | 1 day | 2.00 |
| Johnny Holbrook | 2 days | 4.00 |
| T. A. Spradlin | 1 day | 2.00 |
| Ethel Stephens | 1 day | 2.00 |
| Will Merritt | 1 day | 2.00 |
| Layne Compton | 1 day | 2.00 |
| Clarcey Hall | 1 day | 2.00 |
| Wes Music | 1 day | 2.00 |
| Susan Martin | 1 day | 2.00 |

| | | |
|---|---|---|
| W. L. Akers | 1 day | 2.00 |
| Cora Woods | 1 day | 2.00 |
| Johnny Lafferty | 1 day | 2.00 |
| Melvin Moore | 1 day | 2.00 |
| Lula Dingus | 1 day | 2.00 |

And the Auditor of Public Accounts will draw his warrant upon the Treasurer payable to each of the foregoing named persons for the amount set opposite their respective names.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Levi Baker | Joel T. Crenshaw | Judson Harmon |
| Harold L. Barnes | Carroll L. Cropper | Frank Harris |
| Marshall Barnes | G. Cunningham | R. M. Harrison, Jr. |
| Robert E. Beatty | W. J. Curtis | J. Joseph Hettinger |
| Wm. B. Belknap | Harry Davis | Dr. A. L. Hill |
| Reuben J. Boling | S. S. Dickson | John R. Hobbs |
| O. J. Bowen | Garland Embry | G. W. Howard |
| Jas. C. Bright | Rudy Ferguson | G. C. Johnson |
| Corbett Brown | T. P. Fitzpatrick | T. M. Johnson |
| Frank C. Bruton | Kelly J. Francis | F. P. Kessee |
| Hugh K. Bullitt | Ralph Gilbert | Leo King |
| Mrs. Cecil Cantrill | Ferd A. Gnau | W. L. Knuckles, Jr. |
| Charles Chandler | C. Gottschalk | Glenn W. Lane |
| J. A. Coleman | J. S. Hall | Alden L. Love |
| Sidney J. Collins | W. Yancey Handy | M. T. McCarthy |

| | | |
|---|---|---|
| George R. McIntosh | Rodes K. Myers | Harry B. Thornton |
| Roy McWaters | Richard H. Nufer | J. Sterling Towles |
| C. C. May | Robert A. Persky | Starling B. Tracy |
| L. B. Meadors | M. D. Phelps | Henry T. Ward |
| G. Samuel Milam | Waylon Rayburn | J. B. Wicker |
| Clarence Miller | L. D. Sandlin | B. M. Williams |
| H. H. Miller | Mrs. M. B. Scott | |
| W. H. Miller | Lyle C. Tackett | —71 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Wallace Brown | Pat Rankin | John W. Taylor |

—3

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Clerk's desk a bill entitled:

H. B. 328. An Act proposing an amendment to the Constitution of the Commonwealth of Kentucky, pertaining to public office, etc.

With an amendment thereto, as proposed by Mr. Kirtley and adopted by this House on March 9.

(For bill and amendment see House Journal of March 9.)

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Ralph Gilbert | H. H. Miller |
| Carroll D. Asbury | C. Gottschalk | James B. Milliken |
| Levi Baker | J. S. Hall | Tyler Munford |
| Marshall Barnes | W. Yancey Handy | Rodes K. Myers |
| B. F. Bedford | Judson Harmon | Richard H. Nufer |
| Wm. B. Belknap | Frank Harris | James I. Peters |
| Reuben J. Boling | J. Joseph Hettinger | Kleber F. Price |
| O. J. Bowen | G. W. Howard | G. M. Pritchett |
| Wallace Brown | Ira W. Hulette | Pat Rankin |
| Frank C. Bruton | G. C. Johnson | Waylon Rayburn |
| Charles Chandler | T. M. Johnson | W. P. Renfro |
| D. B. Coughlin | J. H. King | L. D. Sandlin |
| Joel T. Crenshaw | Leo King | Jos. W. Schneider |
| Carroll L. Cropper | John Kirtley | Harry Sparks |
| Harry Davis | W. L. Knuckles, Jr. | Lafe J. Spencer |
| R. A. Demunbrun | Glenn W. Lane | Lyle C. Tackett |
| S. S. Dickson | Alden L. Love | Elmore J. Thomas |
| George Dunlap | M. T. McCarthy | Harry B. Thornton |
| Garland Embry | Herschel McKinley | Henry T. Ward |
| Clarence E. Evans | C. C. McMasters | Robert E. Webb |
| Rudy Ferguson | Roy McWaters | B. M. Williams |
| T. P. Fitzpatrick | L. B. Meadors | |
| W. J. Garnett | Clarence Miller | —67 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Sidney J. Collins | C. C. May | J. Sterling Towles |
| Kelly J. Francis | J. S. Mattingly | Starling B. Tracy |
| John R. Hobbs | John W. Taylor | —8 |

Mr. Kirtley offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 328 by striking out the entire title thereto and substituting the following:

An Act proposing an amendment to the Constitution of the Commonwealth of Kentucky, pertaining to public offices and providing that all Constitutional or other public offices in Kentucky in the Executive, Judicial and Legislative Departments, except the offices of Governor, Lieutenant Governor, Auditor of Public Accounts, Attorney General, Judges of the Court of Appeals, Circuit Judges, and members of the General Assembly, may be abolished or consolidated by the General Assembly, and that such other public offices may be created or provided for by said General Assembly as are necessary to the conduct of Government; and that the manner of creating and providing for said offices and the manner of their election or appointment, and the submission of said proposed amendment to the voters of the State for their ratification or rejection at the next general election for members of the House of Representatives, provided for herein, and all sections or parts of sections or provisions in conflict herewith are hereby repealed to the extent of such conflict.

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Kirtley moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Howard moved that the privilege of the floor be ex-

tended to Mr. and Mrs. Charles Rose, Misses Hobson and Cooksey.

Said motion was agreed to.

Mr. Davis moved that the privilege of the floor be extended to Mr. Thomas S. Yates and Mrs. Nadine Adams.

Said motion was agreed to.

Mr. Milam moved that the privilege of the floor be extended to Messrs. Frank Bailey and Jess Riley and Mesdames Jess Riley, Sallie Miller, Thurman Williams and Moss Wathan.

Said motion was agreed to.

Mr. Handy moved that the privilege of the floor be extended to Mr. Wilson Curd Handy.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 637. An Act to authorize boards of education or boards of trustees of county school districts or independent graded common school districts located outside of the incorporated cities of the county to convey real estate for school sites to such counties and to lease from such counties elementary and/or high school buildings at a rental which will amortize the cost of the erection of such school buildings on such site, and declaring an emergency to exist.

Said bill is as follows, viz.:

Whereas, many of the school districts of the State of Kentucky are without proper and suitable school buildings

and other physical facilities thus endangering the health, safety, convenience and general welfare of the children thereof; and,

Whereas, the existing condition of financial distress of such school boards makes it impossible for them to obtain such needed physical facilities without supplementary financial assistance; and,

Whereas, the Federal Government through the Public Works Administration of the National Industrial Recovery Act is offering financial aid to the extent of a direct gift of 30 per cent of the cost of labor and materials and a loan of the remaining 70 per cent of the cost of labor and materials, at 4 per cent interest, necessary for the erection of needed public buildings for the use and benefit of society; and,

Whereas, there are no statutory provisions whereby boards of education of the various school districts of the State of Kentucky may qualify for financial assistance under regulations for such grants and aids as is prescribed by the Federal Emergency Administration of Public Works under the National Industrial Recovery Act; and,

Whereas, the construction of adequate school buildings for the children of the various school districts of the state is a part of the National Recovery Program and is to provide for the immediate employment of labor and the improvement of the school property of the State of Kentucky: Now, therefore,

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That for the purpose of providing buildings for elementary and/or high school purposes, boards of education or boards of trustees of independent graded common school districts located within counties, exclusive of incorporated cities of such counties, are hereby authorized and empowered to convey a fee simple title with covenant of general warranty

of title, to a site for any such building now held or hereafter acquired by such boards of education or boards of trustees, to such counties.

§ 2. Every such county to which a building site for a building has been conveyed, as provided in section one hereof shall enter into a contract or contracts with some person or persons, corporation or corporations, for the erection on said site of a building with the necessary appurtenances according to plans and specifications adopted by such county and approved by the board of education or the board of trustees of the independent graded common school district in which such building is proposed to be constructed and by the Superintendent of Public Instruction.

§ 3. Immediately upon the approval of the plans and specifications as provided in section two hereof, such board of education or boards of trustees shall offer to lease such building for a term of one or more years from the time such building shall be completed and ready for occupancy, which term shall be for a number of years acceptable to such county. The said lease by its terms shall give such lessee the right and option to extend the term of such lease for a term of one or more years from the expiration of the original term of such lease and for one or more years from the expiration of each extended term of such lease, until the original term of such lease shall have been extended for a total number of years, not exceeding thirty years, at a rental which, if paid for the original term and for each of the full number of years for which the term of said lease may be extended, will amortize the total cost of the erection of said building and appurtenances, provide an adequate maintenance fund and in addition thereto a sum sufficient to pay the cost of insuring the building against loss or damage by fire and windstorm or other calamity in such sum as may be agreed by the parties thereto.

§ 4. This act shall be deemed to create an additional and alternate method for the acquisition of elementary and/or

high school buildings by any county board of education or board of trustees of independent graded common school districts and shall not be deemed to include, alter, amend or repeal any other statute.

§ 5. Whereas, many of the school districts to which this act is applicable are now without adequate school buildings, thus endangering the health, safety, convenience and general welfare of the students thereof, now, therefore, an emergency is hereby declared to exist, and this act shall take effect immediately upon its passage and approval.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Sidney J. Collins | W. Yancey Handy |
| Carroll D. Asbury | Joel T. Crenshaw | Judson Harmon |
| Harold L. Barnes | Carroll L. Cropper | R. M. Harrison, Jr. |
| Marshall Barnes | G. Cunningham | J. Joseph Hettinger |
| Robert E. Beatty | Harry Davis | Dr. A. L. Hill |
| B. F. Bedford | R. A. Demunbrun | John R. Hobbs |
| Wm. B. Belknap | Garland Embry | G. W. Howard |
| O. J. Bowen | Clarence E. Evans | Ira W. Hulette |
| Jas. C. Bright | Rudy Ferguson | G. C. Johnson |
| Corbett Brown | T. P. Fitzpatrick | T. M. Johnson |
| Wallace Brown | J. B. Floyd | J. H. King |
| Frank C. Bruton | Kelly J. Francis | Leo King |
| Mrs. Cecil Cantrill | W. J. Garnett | John Kirtley |
| Charles Chandler | Ralph Gilbert | W. L. Knuckles, Jr. |
| J. A. Coleman | C. Gottschalk | Glenn W. Lane |

| | | |
|---|---|---|
| Alden L. Love | Rodes K. Myers | Mrs. M. B. Scott |
| M. T. McCarthy | Richard H. Nufer | Lafe J. Spencer |
| George R. McIntosh | M. D. Phelps | Lyle C. Tackett |
| Herschel McKinley | Steve Pieratt | Elmore J. Thomas |
| C. C. McMasters | Kleber F. Price | J. Sterling Towles |
| Roy McWaters | G. M. Pritchett | Starling B. Tracy |
| C. C. May | Waylon Rayburn | Robert E. Webb |
| L. B. Meadors | W. P. Renfro | J. B. Wicker |
| G. Samuel Milam | L. D. Sandlin | B. M. Williams |
| H. H. Miller | Avery Sartin | |
| James B. Milliken | Jos. W. Schneider | —76 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Pat Rankin | Henry T. Ward | —2 |

Resolved that the title thereof be as aforesaid.

Mr. Rayburn moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body entitled:

S. B. 342. An Act to amend and re-enact Section 772a, Subsection 1 to 4, both inclusive, of Carroll's Kentucky Statutes of 1928, being Chapter 18, Acts of the General Assembly of 1920, relating to the operation of passenger train service.

S. B. 105. An Act to amend and re-enact Section 1 of an Act providing for the renewal of franchises of Public Utilities in cities of the 2nd, 3rd, 4th, 5th and 6th classes, etc.

S. B. 298. An Act to amend Sections 864, 864a, 864b and 865a, of Carroll's Kentucky Statutes of 1930, providing for the method of withdrawal of shares in building and loan associations, etc.

S. B. 304. An Act to repeal and re-enact Sections 373 of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, relating to the bonds to be executed by circuit and county court clerks, etc.

S. B. 321. An Act providing additional duties of the County Treasurer in counties of less than 50,000 inhabitants.

S. B. 330. An Act to regulate, control and fix standard weights of wheat flour and the size of packages containing same; and to provide penalties for the violation of this Act.

S. B. 361. An Act to regulate toll bridges and ferries and providing penalties.

H. B. 530. An Act to amend Section 865 of Chapter 144 of the Acts of 1918, as amended by Chapter 25 of the Acts of 1926, and by Chapter 12 of the Acts of 1932, relating to Building and Loan Associations, etc.

H. B. 197. An Act enabling counties having cities of the second class, in their discretion, to purchase policies of insurance on motor vehicles operated by the county and compensation insurance to employees.

H. B. 532. An Act to amend Section 582 of Chapter 171 of the Acts of 1893, as amended by Chapter 13 of the Acts of 1928, being Section 582 of Article 2 of Chapter 32, etc.

S. B. 410. An Act repealing and re-enacting Section 1992a-26, Carroll's Kentucky Statutes, Baldwin's 1930 Revision, relating to appropriations of the preceding fiscal year, etc.

S. B. 253. An Act to repeal, amend and re-enact Section 2095b-13a Kentucky Statutes, Carroll's 1930 Edition, fixing

the ages of minor children who may be sentenced to the House of Reform.

S. Res. 68. Resolution of appreciation for the public service of the Hon. Ben Niles.

H. B. 26. An Act proposing an amendment to the Constitution of Kentucky.

H. B. 485. An Act to provide for a more adequate enforcement of all laws; especially those relating to bank robbery, banditry, kidnaping, etc.

H. B. 585. An Act to authorize cities of the first class to purchase, establish, erect and maintain Low Cost Housing Projects, etc.

With an amendment thereto by way of Substitute therefor as proposed by the Senate.

Ordered that said bill with amendment thereto as proposed by the Senate, be referred to Committee on Rules.

S. B. 247. An Act relating to the fiscal administration of counties; providing for a uniform budget system, etc.

S. B. 350. An Act to amend the Constitution of the Commonwealth of Kentucky, relating to old age pensions or pensions of persons of old age.

Ordered that said bills which originated in this House, with the exception of the one specifically set out above, be delivered to the Enrolling clerk of this House.

Ordered that said bills which originated in the Senate be printed and referred to the Committee on Rules.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 54. An Act providing for the construction, operation and maintenance of a bridge across the Kentucky River at Frankfort, Kentucky, and providing the time, manner and method of the construction, operation and maintenance thereof.

Said bill is as follows, viz.:

WHEREAS, under the provisions of Section 255 of the Constitution of Kentucky the seat of government of the Commonwealth of Kentucky is in the City of Frankfort, Franklin County, Kentucky; and,

Whereas, the Commonwealth of Kentucky has constructed and is now maintaining a system of State primary highways and bridges; and,

Whereas, a number of the most important trunk highways of the Commonwealth of Kentucky now under State maintenance pass through the City of Frankfort; and,

Whereas, the present bridge across the Kentucky River in the City of Frankfort connecting St. Clair and Bridge Streets has been used to carry motor traffic over such state and national highways passing through Frankfort until said bridge has become insufficient to accommodate the public traveling upon the trunk highways of the Commonwealth of Kentucky through the City of Frankfort, and it is inadequate for that purpose; and,

Whereas, the Commonwealth of Kentucky has property situated in the City of Frankfort and Franklin County, of the value of several million dollars not subject to taxation by either the City of Frankfort or the County of Franklin; and,

Whereas, the financial condition of both the City of Frankfort and the County of Franklin is such that neither said city nor county can raise by taxation the money to construct said bridge; and,

Whereas, it is necessary that said bridge be constructed in order that the citizens, officials and employees of this State may safely use the aforesaid highways in coming to and going from the seat of this government in the transaction of business; and,

Whereas, the City of Frankfort being the seat of the government and the capital of this Commonwealth, it is deemed by the General Assembly to be necessary for such new bridge to be constructed and maintained for the general public welfare, free of tolls or other charges, and in order to better utilize the property and facilities of the Commonwealth situated in the City of Frankfort; Now, Therefore,

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. The Governor of this Commonwealth is hereby authorized and empowered to designate in writing to the State Highway Commission of Kentucky the time when, and the place at which a new bridge is to be built over the Kentucky River, at Frankfort, Kentucky, and upon the receipt of his designation by the State Highway Commission, said Commission is authorized and directed to acquire by gift, purchase, condemnation, or otherwise, the necessary rights of way for the construction, maintenance and operation of a modern bridge across the Kentucky River, in the City of Frankfort, Franklin County, Kentucky, and to construct, operate and maintain such bridge free of tolls or other charges except as hereinafter provided. Said Commission is authorized and directed to make or cause to be made all necessary surveys, plans and specifications for the construction of said bridge, and to do all things reasonably necessary to carry out the intent and purpose of this act, and to proceed as speedily as possible with the construction of same.

§ 2. Within thirty days after the plans and specifications for said bridge shall have been completed the Commission shall advertise for and receive bids for the construction of said

bridge in accordance with the plans and specifications therefor and shall award the contract upon the approval of the Governor for the construction of said bridge to the lowest and best bidder or bidders. The Commission shall require the successful bidder or bidders to execute good and sufficient bond or bonds to be approved by the Commission to guarantee the faithful performance of the contract and the prompt payment of all bills which may be incurred for labor, materials and supplies furnished for use in the performance of such contract or contracts. The contract to be awarded by the Commission shall require that the construction of the bridge be completed and ready for traffic within such time as may be fixed by the Commission, and approved by the Governor.

§ 3. Said bridge shall be of such design and such width as may in the judgment of the Commission be adequate for present and future necessities, and on each side of the roadway of said bridge there shall be constructed a sidewalk for foot passengers of not less than five feet in width. The Commission shall have power and authority to provide in the plans and specifications for the construction of said bridge and to construct a single track for the operation of street cars over said bridge and may enter into a contract or contracts with any person, firm or corporation having authority to operate street cars or street railway in the City of Frankfort, giving such person, firm or corporation the right to operate street cars or street railway over and across said bridge upon the payment to the Commonwealth of Kentucky of such reasonable annual charges as the Commission may determine.

§ 4. The costs of the construction, maintenance and operation of said bridge, shall be paid out of the State Road Fund in the same manner as the cost of construction of State primary roads is paid. The necessary rights of way for the construction, maintenance and operation of said bridge shall be furnished and paid for by Franklin County. The City of Frankfort, Kentucky, is empowered and authorized to contribute to Franklin County a portion of the costs of the rights

of way for construction, maintenance and operation of said bridge.

§ 5. The term "bridge" as used in this act shall be construed to mean the bridge proper and such approaches thereto as may be reasonably necessary to properly connect said bridge proper with the streets or highways in the City of Frankfort leading thereto. The term "Commission" as used in this act shall be construed to mean the State Highway Commission of Kentucky.

§ 6. There shall be erected by the Commission at each end of said bridge a proper monument or inscription, the form and size of which to be approved by the Governor, and the State President of the American War Mothers of Kentucky and inscribed thereon the following:

CAPITAL BRIDGE

Erected pursuant to an Act of the General Assembly of Kentucky, enacted in 1934, as a Memorial to the Men and Women of Kentucky who rendered service to their country in the Army, Navy and other Military Service during the World War and other previous wars, in grateful appreciation of their patriotism and sacrifices.

§ 7. All laws and parts of laws in conflict herewith, to the extent of such conflict, are repealed only so far and to the extent this Act is in conflict with same.

Mr. Coughlin offered the following amendment to said bill, viz.:

Amend H. B. 54, Section 4, page 4, line 2, by inserting the words "for the district" after the word "Fund" and before the word "in".

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | L. J. Gammon | W. H. Miller |
| Harold L. Barnes | W. J. Garnett | James B. Milliken |
| Robert E. Beatty | Ralph Gilbert | Rodes K. Myers |
| B. F. Bedford | Ferd A. Gnau | Richard H. Nufer |
| O. J. Bowen | C. Gottschalk | James I. Peters |
| Jas. C. Bright | J. S. Hall | Steve Pieratt |
| Corbett Brown | W. Yancey Handy | Kleber F. Price |
| Wallace Brown | Judson Harmon | G. M. Pritchett |
| Hugh K. Bullitt | Frank Harris | Pat Rankin |
| Mrs. Cecil Cantrill | J. Joseph Hettinger | W. P. Renfro |
| Charles Chandler | Dr. A. L. Hill | L. D. Sandlin |
| J. A. Coleman | John R. Hobbs | Jos. W. Schneider |
| Sidney J. Collins | G. W. Howard | Mrs. M. B. Scott |
| Joel T. Crenshaw | Ira W. Hulette | Harry Sparks |
| Carroll L. Cropper | G. C. Johnson | Lafe J. Spencer |
| W. J. Curtis | T. M. Johnson | Lyle C. Tackett |
| R. A. Demunbrun | F. P. Kessee | John W. Taylor |
| S. S. Dickson | J. H. King | Elmore J. Thomas |
| George Dunlap | George R. McIntosh | Harry B. Thornton |
| Clarence E. Evans | C. C. May | J. Sterling Towles |
| T. P. Fitzpatrick | G. Samuel Milam | Starling B. Tracy |
| J. B. Floyd | Clarence Miller | J. B. Wicker |
| Kelly J. Francis | H. H. Miller | B. M. Williams |

—69

Those who voted in the negative were—

| | | |
|---|---|---|
| Marshall Barnes | D. B. Coughlin | Rudy Ferguson |
| Reuben J. Boling | Garland Embry | R. M. Harrison, Jr. |

| | | |
|---|---|---|
| Leo King | Roy McWaters | Avery Sartin |
| John Kirtley | J. S. Mattingly | Henry T. Ward |
| W. L. Knuckles, Jr. | Tyler Munford | Robert E. Webb |
| Alden L. Love | M. D. Phelps | |
| M. T. McCarthy | Waylon Rayburn | —19 |

Resolved that the title thereof be as aforesaid.

Mr. Hulett moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 808. An Act relating to the present employees of the General Assembly, providing compensation for their services in the General Assembly and for payment thereof to the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives, respectively, to be distributed by them to all of said employees and officers, prorated according to the amount provided by House Bill No. 245 of the Acts of the General Assembly of One Thousand Nine Hundred and Thirty-four, and authorizing and directing the Auditor of Public Accounts to draw his warrants on the Treasurer for the total amount of such compensation payable to the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives, and declaring an emergency to exist.

Said bill is as follows, viz.:

WHEREAS, the present employees and officers of the General Assembly have rendered faithful services; and,

Whereas, they have had to employ assistants to aid them in their respective duties; and,

Whereas, the General Assembly deems that the compensation fixed by House Bill No. 245 of the Acts of the General

Assembly of One Thousand, Nine Hundred and Thirty-four is inadequate; now, therefore,

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. The following amount is hereby appropriated to the employees of the Senate and House of Representatives, respectively, as additional compensation to that provided in House Bill No. 245 of the Acts of the General Assembly of One Thousand Nine Hundred and Thirty-four; to the employees and officers of the Senate, $4,734.00; to the employees and officers of the House of Representatives, $3,159.00. The amount hereinabove provided to be paid for the benefit of the employees and officers of the Senate shall be paid to the Chief Clerk of the Senate, to be distributed by him to all of said officers and employees of the Senate, prorated on amounts authorized to be paid to them by House Bill No. 245 of the Acts of the General Assembly of One Thousand, Nine Hundred and Thirty-four, and the Auditor of Public Accounts hereby is authorized and directed, upon requisition made by the Chief Clerk of the Senate, to draw a warrant on the Treasurer in favor of said Chief Clerk in the amount of $4,734.00; to be distributed by said Chief Clerk as herein provided. The amount hereinabove provided to be paid for the benefit of the employees and officers of the House of Representatives shall be paid to the Chief Clerk of the House of Representatives, to be distributed by him to all of said employees and officers of the House of Representatives, prorated on amounts authorized to be paid to them by said House Bill No. 245 of the Acts of the General Assembly of One Thousand Nine Hundred and Thirty-four, and the Auditor of Public Accounts hereby is authorized and directed upon requisition made by the Chief Clerk of the House of Representatives to draw a warrant on the Treasurer in favor of said Chief Clerk of the House of Representatives in the amount of $3,159.00, to be distributed by said Chief Clerk as herein provided. The compensation

herein provided shall be in addition to the compensation now provided for in House Bill No. 245 of the Acts of the General Assembly of One Thousand Nine Hundred and Thirty-four, and said Act shall remain in full force and effect and no part of this Act shall be construed as repealing any part of said Chapter.

All Acts or parts of Acts in conflict herewith, to the extent of such conflict, hereby are repealed.

WHEREAS, the General Assembly will within a short time adjourn and the employees upon adjournment will depart to various sections of the State, an emergency is hereby declared to exist, and this Act shall be effective from and after its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | J. A. Coleman | L. J. Gammon |
| Carroll D. Asbury | Sidney J. Collins | W. J. Garnett |
| Levi Baker | Carroll L. Cropper | Ferd A. Gnau |
| Robert E. Beatty | G. Cunningham | C. Gottschalk |
| B. F. Bedford | W. J. Curtis | J. S. Hall |
| Reuben J. Boling | R. A. Demunbrun | W. Yancey Handy |
| Jas. C. Bright | S. S. Dickson | Judson Harmon |
| Corbett Brown | Garland Embry | R. M. Harrison, Jr. |
| Frank C. Bruton | Rudy Ferguson | J. Joseph Hettinger |
| Hugh K. Bullitt | T. P. Fitzpatrick | Dr. A. L. Hill |
| Mrs. Cecil Cantrill | J. B. Floyd | John R. Hobbs |
| Charles Chandler | Kelly J. Francis | G. W. Howard |

| | | |
|---|---|---|
| Ira W. Hulette | G. Samuel Milam | Mrs. M. B. Scott |
| G. C. Johnson | W. H. Miller | Lafe J. Spencer |
| F. P. Kessee | James B. Milliken | Lyle C. Tackett |
| J. H. King | Tyler Munford | John W. Taylor |
| Leo King | Richard H. Nufer | Elmore J. Thomas |
| W. L. Knuckles, Jr. | M. D. Phelps | Harry B. Thornton |
| Glenn W. Lane | Kleber F. Price | Starling B. Tracy |
| M. T. McCarthy | G. M. Pritchett | J. B. Wicker |
| George R. McIntosh | Waylon Rayburn | B. M. Williams |
| Roy McWaters | L. D. Sandlin | |
| C. C. May | Avery Sartin | —67 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Harold L. Barnes | Ralph Gilbert | James I. Peters |
| Marshall Barnes | T. M. Johnson | Steve Pieratt |
| Wallace Brown | Alden L. Love | Pat Rankin |
| D. B. Coughlin | Herschel McKinley | J. Sterling Towles |
| Joel T. Crenshaw | J. S. Mattingly | Henry T. Ward |
| George Dunlap | H. H. Miller | Robert E. Webb |
| Clarence E. Evans | Rodes K. Myers | —20 |

Resolved that the title thereof be as aforesaid.

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Coughlin offered the following resolution, viz.:

RESOLUTION A.

Relative to a survey, examination and report upon river-ways and water resources of the Commonwealth of Kentucky.

WHEREAS, The Federal government has begun a comprehensive program of water conservation as follows:

1. "The execution of the Jadwin plan of flood control in the Mississippi River and part of its tributaries."

2. "The improvement of the waterways system of the United States to convert its principal streams into traffic arteries."

3. "The creation of a 'lakes to sea' deep water route through the Great Lakes and St. Lawrence River and utilization of a streams' waterpower resources"; and,

Whereas, This program affects Kentucky as a Key state on the Ohio River and its many tributary rivers capable of canalization for standard navigation on the Ohio River and tributaries, when such rivers are rehabilitated and regulated by source control and slack watering; and,

Whereas, Many of our great industrial centers and best farming districts are threatened with a shortage of water supplies for industrial, domestic and farm uses, which will limit our future growth in population, production and industrial expansion as demonstrated by this the greatest drought in history now upon us; and,

Whereas, We need a state-wide program of water conservation which will guarantee a perpetual water supply for all water purposes including flood protection, industrial and domestic water supplies, irrigation, navigation, sanitation or sewage dilution, recreation or water parks and the restoration of our rapidly diminishing water table or ground waters with controlled drainage; and,

Whereas, We realize that a complete and comprehensive program of water conservation for the state cannot be planned or outlined until a state-wide water resource survey has been made and the data correlated, compiled and reported upon with recommendations by a competent board appointed for that purpose in cooperation with the program of the federal government; Therefore,

*Be it Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:*

That the Governor shall appoint immediately upon the adoption of this resolution a committee of five (5) persons to serve without compensation, to examine and report to the Governor, at the earliest practicable date upon the riverways and the water resources of the Commonwealth of Kentucky;

That a said Committee is hereby authorized to cooperate and work with any federal board or agency that is or may be engaged in such a survey or examination, for the purpose of preparing a program of flood mitigation, source stream control for beneficial uses, navigation, reforestation and submarginal land rehabilitation, and such other useful purposes.

Said resolution was adopted.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 834. An Act granting to cities or towns within the Commonwealth of Kentucky the right to lay and maintain within the right of way of any public road or highway in the Commonwealth of Kentucky pipes or conduits for the purpose of supplying water and/or gas to such cities or towns and the inhabitants thereof and to persons in the the vicinity of such pipes desiring to use water or gas service therefrom; providing the terms and conditions on which such right may be acquired and enjoyed; repealing all laws or parts of laws in conflict therewith, and declaring an emergency.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That any city or town within the Commonwealth of Kentucky, organized and existing by virtue of its laws, is hereby granted the right and power to construct, lay and maintain within the right of way of any public road or highway in the Commonwealth of Kentucky such pipes or conduits, as

may be deemed necessary by the legislative body of such city or town, for the puprose of supplying water and/or gas to such city or town and the inhabitants thereof and to such persons in the vicinity of such pipes or conduits who may desire to use water and/or gas therefrom.

The right herein granted shall apply to any road or public highway within the Commonwealth of Kentucky, and shall include those owned by or under the control or supervision of any County, the Commonwealth of Kentucky, the State Highway Commission of Kentucky, or of any subordinate body, corporation or bureau now existing or that may hereafter be created.

§ 2. The grant and right herein provided for shall be acquired and held under the following terms and conditions: The legislative body of any town or city as hereinabove mentioned shall give the County, the Commonwealth, the Highway Commission or other body, corporation or bureau having the control or supervision of the road or highway affected not less than 20 days' previous written notice of its intention to lay and maintain water and/or gas pipe or pipes in the right-of-way of such road or highway, stating the name or location of such road or highway, the contemplated use of such pipe or pipes, the beginning and ending points of such pipe line or lines, and, as nearly as practicable, the approximate location of the center line of such pipe line or lines, the approximate width of the right of way to be occupied by said line or lines, the approximate depth same are to be buried in the ground, size of pipe or pipes, and shall accompany such notice with a map or plat showing the location, course and distance of such pipe line or lines.

At the expiration of said 20-day period said city or town may proceed to construct and lay said pipe line or lines in such right of way and to do any and all things necessary to complete said work and may maintain said line or lines in said right of way thereafter, but only after the execution and approval of the bond as hereinafter provided.

No such pipe line shall be built or maintained so as to interfere permanently with the proper or reasonable use, maintenance or enjoyment of any public road or highway or of any pipe or pipes, bridge, culvert, telegraph, telephone or electric service poles or lines or of any railway or of any other structure or appurtenance lawfully maintained in, on or under the right of way of such road or highway.

Any court of competent jurisdiction may enjoin any improper or unlawful use of the right herein granted.

Any town or city using or employing the grant herein conferred may conduct and maintain water and/or gas pipes under and across any public road or highway, and for the purposes of this Act may temporarily disturb such road or any appurtenance or structure existing in connection therewith or in said right of way, but it shall not block the ordinary vehicular and pedestrian travel thereon, though it may provide, at its own cost and expense and at its own risk, suitable detours for travel during the construction of its pipe line or lines. Such city or town shall promptly restore, at its own cost and risk, all injury to any road or highway or any structure therein caused by laying its pipe or pipes and shall be liable for all damage and injury to any person, firm, corporation, County, the Commonwealth or any State Commission or agency arising in any manner from its exercise of any of the rights herein conferred.

Before doing any work as herein provided, such city or town shall file with the Fiscal Court of the County or Counties in which it may be proposed to construct said pipe line or lines a bond to the Commonwealth of Kentucky, for the use and benefit of whom it may concern, in a penal sum to be fixed by such Fiscal Court or Courts, with surety approved by such Court or Courts, conditioned that such city or town will faithfully comply with each and all of the terms and conditions of this Act, that it will be liable for any negligence on its part and that it will promptly restore all damage and

injury occasioned by the exercise of the rights herein conferred, and as provided by this Act.

§ 3. All Acts or parts of Acts in conflict herewith are hereby repealed to the extent of such conflict.

§ 4. Whereas, several cities and towns of the Commonwealth of Kentucky are in urgent need of a supply of water and the most feasible and practicable routes for the laying and maintenance of the water supply lines is along the right of ways of certain roads and highways in the Commonwealth of Kentucky and in order to conserve and promote the health, safety, convenience and general welfare of the inhabitants of such cities and towns, an emergency is hereby declared to exist, and this Act shall take effect immediately upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Frank C. Bruton | R. A. Demunbrun |
| Levi Baker | Hugh K. Bullitt | S. S. Dickson |
| Harold L. Barnes | Mrs. Cecil Cantrill | Garland Embry |
| Robert E. Beatty | Charles Chandler | Clarence E. Evans |
| B. F. Bedford | J. A. Coleman | T. P. Fitzpatrick |
| Wm. B. Belknap | Sidney J. Collins | Kelly J. Francis |
| Reuben J. Boling | Joel T. Crenshaw | W. J. Garnett |
| O. J. Bowen | Carroll L. Cropper | J. S. Hall |
| Jas. C. Bright | G. Cunningham | W. Yancey Handy |
| Wallace Brown | Harry Davis | Frank Harris |

| | | |
|---|---|---|
| R. M. Harrison, Jr. | M. T. McCarthy | Avery Sartin |
| J. Joseph Hettinger | Roy McWaters | Mrs. M. B. Scott |
| Dr. A. L. Hill | C. C. May | Harry Sparks |
| John R. Hobbs | G. Samuel Milam | Lafe J. Spencer |
| G. W. Howard | Clarence Miller | Lyle C. Tackett |
| Ira W. Hulette | W. H. Miller | Harry B. Thornton |
| T. M. Johnson | Tyler Munford | J. Sterling Towles |
| F. P. Kessee | Rodes K. Myers | Starling B. Tracy |
| Leo King | M. D. Phelps | Henry T. Ward |
| John Kirtley | Kleber F. Price | Robert E. Webb |
| W. L. Knuckles, Jr. | Pat Rankin | B. M. Williams |
| Glenn W. Lane | Waylon Rayburn | |
| Alden L. Love | L. D. Sandlin | —67 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Herschel McKinley | W. P. Renfro |
| D. B. Coughlin | J. S. Mattingly | Jos. W. Schneider |
| G. C. Johnson | H. H. Miller | —8 |

Resolved that the title thereof be as aforesaid.

Mr. Towles moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Clerk's desk, a bill entitled:

H. B. 555. An Act relating to the fiscal administration of counties; providing for a uniform budget system in each county of the Commonweatlh of Kentucky, etc.

With amendments thereto, as proposed by Messrs. Milam and McCarthy, and adopted by this House on March 1.

(For bill and amendments see House Journal of March 1.)

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Ferd A. Gnau | James B. Milliken |
| Carroll D. Asbury | W. Yancey Handy | Tyler Munford |
| Harold L. Barnes | Judson Harmon | Rodes K. Myers |
| B. F. Bedford | Dr. A. L. Hill | Richard H. Nufer |
| Wm. B. Belknap | G. W. Howard | M. D. Phelps |
| O. J. Bowen | Ira W. Hulette | Steve Pieratt |
| Jas. C. Bright | T. M. Johnson | Kleber F. Price |
| Corbett Brown | F. P. Kessee | G. M. Pritchett |
| Frank C. Bruton | Leo King | Pat Rankin |
| Charles Chandler | John Kirtley | Waylon Rayburn |
| J. A. Coleman | W. L. Knuckles, Jr. | L. D. Sandlin |
| Sidney J. Collins | Glenn W. Lane | Avery Sartin |
| D. B. Coughlin | Alden L. Love | Harry Sparks |
| Carroll L. Cropper | M. T. McCarthy | Lafe J. Spencer |
| G. Cunningham | Herschel McKinley | Lyle C. Tackett |
| W. J. Curtis | C. C. McMasters | John W. Taylor |
| R. A. Demunbrun | Roy McWaters | Elmore J. Thomas |
| Garland Embry | C. C. May | J. Sterling Towles |
| Rudy Ferguson | L. B. Meadors | Starling B. Tracy |
| J. B. Floyd | G. Samuel Milam | Henry T. Ward |
| Kelly J. Francis | Clarence Miller | J. B. Wicker |
| L. J. Gammon | H. H. Miller | B. M. Williams |
| Ralph Gilbert | W. H. Miller | —68 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | Clarence E. Evans | George R. McIntosh |
| Marshall Barnes | T. P. Fitzpatrick | J. S. Mattingly |
| Robert E. Beatty | C. Gottschalk | James I. Peters |
| Wallace Brown | J. S. Hall | W. P. Renfro |
| Mrs. Cecil Cantrill | Frank Harris | Jos. W. Schneider |
| Joel T. Crenshaw | R. M. Harrison, Jr. | Harry B. Thornton |
| Harry Davis | John R. Hobbs | Robert E. Webb |
| S. S. Dickson | G. C. Johnson | |
| George Dunlap | J. H. King | —25 |

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 851. An Act providing that the purchasers of new cars be allowed five (5) days in which to license same.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. Any person purchasing an automobile not previously licensed shall have five (5) days after the date of purchase in which to license same.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | T. P. Fitzpatrick | G. Samuel Milam |
| Carroll D. Asbury | L. J. Gammon | H. H. Miller |
| Levi Baker | W. J. Garnett | W. H. Miller |
| Harold L. Barnes | Ferd A. Gnau | Tyler Munford |
| Marshall Barnes | C. Gottschalk | Richard H. Nufer |
| B. F. Bedford | J. S. Hall | M. D. Phelps |
| Wm. B. Belknap | W. Yancey Handy | Steve Pieratt |
| Reuben J. Boling | Judson Harmon | Kleber F. Price |
| O. J. Bowen | Frank Harris | G. M. Pritchett |
| Jas. C. Bright | R. M. Harrison, Jr. | Waylon Rayburn |
| Wallace Brown | Dr. A. L. Hill | W. P. Renfro |
| Mrs. Cecil Cantrill | Ira W. Hulette | Avery Sartin |
| Charles Chandler | G. C. Johnson | Jos. W. Schneider |
| J. A. Coleman | T. M. Johnson | Mrs. M. B. Scott |
| D. B. Coughlin | F. P. Kessee | Lafe J. Spencer |
| Joel T. Crenshaw | J. H. King | Lyle C. Tackett |
| Carroll L. Cropper | Leo King | Harry B. Thornton |
| G. Cunningham | W. L. Knuckles, Jr. | J. Sterling Towles |
| W. J. Curtis | Alden L. Love | Starling B. Tracy |
| Harry Davis | C. C. McMasters | Henry T. Ward |
| George Dunlap | C. C. May | J. B. Wicker |
| Clarence E. Evans | J. S. Mattingly | —65 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Sidney J. Collins | Herschel McKinley | Elmore J. Thomas |
| Kelly J. Francis | Pat Rankin | |
| Ralph Gilbert | Harry Sparks | —7 |

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 587. An Act relating to revenue and taxation, and to amend and re-enact Section 4214d-8, 1933 Supplement to Kentucky Statutes, pertaining to license collected from beer and the distribution thereof; and declaring an emergency.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That Section 4214d-8, 1933 Supplement to Kentucky Statutes, which was enacted by the General Assembly at the 1933 extraordinary session be hereby amended and re-enacted, so that when amended and re-enacted it shall read as follows:

All revenue derived from the operation of this act, as collected and covered through the Auditor of Public Accounts into the State Treasury shall be credited to the general expenditure fund; provided, however, that all of said revenue so collected shall be earmarked for relief work in this Commonwealth to match federal money available for the needy and unemployed and to be applied and used for that purpose only until July 1, 1934. Thereafter said revenue shall by the Treasurer of the Commonwealth be credited to the general fund for the use of the ordinary expenses of the government.

§ 2. Whereas, the present state revenue does not meet the immediate needs for the maintenance and development of the State government and its agencies and the relief of the

poor and destitute, and the State's credit is threatened by impairment, an emergency is declared to exist, and this act shall become a law and be effective upon its passage and approval by the Governor.

§ 3. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Garland Embry | T. M. Johnson |
| Carroll D. Asbury | Clarence E. Evans | J. H. King |
| Harold L. Barnes | Rudy Ferguson | Leo King |
| Robert E. Beatty | T. P. Fitzpatrick | John Kirtley |
| B. F. Bedford | J. B. Floyd | Glenn W. Lane |
| Wm. B. Belknap | Kelly J. Francis | Alden L. Love |
| Reuben J. Boling | Ralph Gilbert | M. T. McCarthy |
| O. J. Bowen | Ferd A. Gnau | George R. McIntosh |
| Corbett Brown | C. Gottschalk | C. C. McMasters |
| Wallace Brown | W. Yancey Handy | Roy McWaters |
| Frank C. Bruton | Judson Harmon | C. C. May |
| Mrs. Cecil Cantrill | Frank Harris | J. S. Mattingly |
| Charles Chandler | R. M. Harrison, Jr. | G. Samuel Milam |
| J. A. Coleman | J. Joseph Hettinger | Clarence Miller |
| Joel T. Crenshaw | Dr. A. L. Hill | H. H. Miller |
| Carroll L. Cropper | John R. Hobbs | W. H. Miller |
| G. Cunningham | G. W. Howard | James B. Milliken |
| W. J. Curtis | Ira W. Hulette | Tyler Munford |
| Harry Davis | G. C. Johnson | Rodes K. Myers |

| | | |
|---|---|---|
| Richard H. Nufer | W. P. Renfro | Harry B. Thornton |
| James I. Peters | L. D. Sandlin | J. Sterling Towles |
| M. D. Phelps | Avery Sartin | Starling B. Tracy |
| Steve Pieratt | Jos. W. Schneider | Henry T. Ward |
| Kleber F. Price | Mrs. M. B. Scott | Robert E. Webb |
| G. M. Pritchett | Harry Sparks | J. B. Wicker |
| Pat Rankin | Lafe J. Spencer | |
| Waylon Rayburn | Elmore J. Thomas | —78 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | D. B. Coughlin | Herschel McKinley |
| Sidney J. Collins | George Dunlap | —5 |

Resolved that the title thereof be as aforesaid.

Mr. Milam moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 826. An Act relating to the distribution of revenue, etc.

With a Committee amendment thereto.

Mr. Myers moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 812. An Act to amend and re-enact Section 4127

of the Kentucky Statutes, Carroll's Edition of 1930, providing for compensation of board of supervisors and clerk.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 4127, Kentucky Statutes, Carroll's Edition of 1930, be and the same is hereby repealed, amended and re-enacted so that when so amended and re-enacted, it shall read as follows:

The members of the board of supervisors and the clerk shall each be allowed three dollars ($3.00) per day for each day of actual attendance of the meetings of the board, to be paid, one-half out of the county levy and the other out of the State Treasury; provided, however, that in counties having therein a city of the first class, the members of the Board of Supervisors, and the Clerk, shall each be allowed Ten Dollars ($10.00) per day for each day of actual attendance of the meetings of the board to be paid, one-half out of the county levy and the other out of the State Treasury.

There being pressing reasons why this amendment of the Statutes should be made effective at the earliest possible date, an emergency is hereby declared to exist, and this act shall become the law when approved by the Governor.

Mr. Thomas offered the following amendment to said bill, viz.:

Amend H. B. 812 by striking from the printed copy, lines 9 and 10 on page 1, the words and figues "Ten Dollars ($10.00) and inserting in lieu thereof the words and figures "Eight Dollars ($8.00)".

Said amendment was agreed to.

Mr. Collins offered the following amendment to said bill, viz.:

Amend H. B. 812 by changing words and figures in line 5 from "three dollars" to "eight dollars."

Mr. Francis moved that said amendment be laid on the table.

Said motion was agreed to.

And so said bill was laid on the table.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 801. An Act relating to the time of payment of Confederate Pensions.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. Pensions payable to Confederate Veterans or the widows of Confederate Veterans as allowed by the laws of this Commonwealth shall be paid out of the State Treasury on the first day of each and every month during the time such pensions can be lawfully paid.

§ 2. All laws and parts of laws that conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Rudy Ferguson | J. S. Mattingly |
| Carroll D. Asbury | J. B. Floyd | G. Samuel Milam |
| Levi Baker | L. J. Gammon | Clarence Miller |
| Harold L. Barnes | W. J. Garnett | H. H. Miller |
| Marshall Barnes | Ralph Gilbert | W. H. Miller |
| Robert E. Beatty | Ferd A. Gnau | Tyler Munford |
| B. F. Bedford | C. Gottschalk | Rodes K. Myers |
| Wm. B. Belknap | W. Yancey Handy | Richard H. Nufer |
| Reuben J. Boling | Judson Harmon | James I. Peters |
| O. J. Bowen | Frank Harris | M. D. Phelps |
| Jas. C. Bright | R. M. Harrison, Jr. | Steve Pieratt |
| Corbett Brown | J. Joseph Hettinger | Kleber F. Price |
| Wallace Brown | Dr. A. L. Hill | G. M. Pritchett |
| Frank C. Bruton | John R. Hobbs | Waylon Rayburn |
| Hugh K. Bullitt | G. W. Howard | W. P. Renfro |
| Mrs. Cecil Cantrill | Ira W. Hulette | L. D. Sandlin |
| J. A. Coleman | G. C. Johnson | Avery Sartin |
| Sidney J. Collins | Leo King | Mrs. M. B. Scott |
| Joel T. Crenshaw | John Kirtley | Harry Sparks |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Starling B. Tracy |
| W. J. Curtis | Glenn W. Lane | Henry T. Ward |
| Harry Davis | Alden L. Love | Robert E. Webb |
| R. A. Demunbrun | M. T. McCarthy | J. B. Wicker |
| Garland Embry | Herschel McKinley | B. M. Williams |
| Clarence E. Evans | C. C. May | —74 |

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The hour of six o'clock P. M. having arrived, Dr. Hill moved that the House do now recess until seven-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

## NIGHT SESSION.

The hour of seven-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

Mr. J. H. King moved that the privilege of the floor be extended to Mr. R. E. Joggins from Hart county.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 68. Resolution authorizing William Cox to sue the Commonwealth of Kentucky and the State Highway Commission, or either.

Said resolution is as follows, viz.:

WHEREAS, on or about the seventeenth day of May, 1933, William Cox, a resident of Cooper, Wayne County, Kentucky, was run over and injured on the highway leading from Monticello to Cooper, in Wayne County, Kentucky, wherein it is claimed that while the said William Cox was walking the highway he was struck and injured, both of his legs being broken, and receiving other injuries, by a truck operated by one of the employees of the State Highway Commission, in a very careless, negligent and reckless manner, the employee driving the truck at an excessive rate of speed, on the wrong and improper side of the road, and while he was in an intoxicated condition; therefore,

*Be it Resolved by the General Assembly of the Commonwealth of Kentucky:*

That William Cox be, and he is, hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Wayne Circuit Court, the County of the residence of said William Cox for damages for the loss of earning power, physical suffering, and for hospital and medical bills of the said William Cox, which were all brought about and caused by the negligence of the employee of the State Highway Commission. Said suit shall be for any amount not exceeding the sum of six thousand ($6,000.00) dollars, and in the event any judgment is recovered by said William Cox in said suit for injuries to himself, or same is compromised or settled, said judgment shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer and paid out of the General Fund.

Either party to said suit may appeal from any judgment which may be entered therein as in any other civil suit, and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Robert E. Beatty | Reuben J. Boling |
| Harold L. Barnes | B. F. Bedford | O. J. Bowen |

| | | |
|---|---|---|
| Jas. C. Bright | Kelly J. Francis | G. Samuel Milam |
| Corbett Brown | W. J. Garnett | Clarence Miller |
| Wallace Brown | J. S. Hall | W. H. Miller |
| Frank C. Bruton | Frank Harris | Tyler Munford |
| Hugh K. Bullitt | R. M. Harrison, Jr. | Richard H. Nufer |
| Charles Chandler | J. Joseph Hettinger | Robert A. Persky |
| J. A. Coleman | Dr. A. L. Hill | M. D. Phelps |
| Sidney J. Collins | G. W. Howard | Waylon Rayburn |
| G. Cunningham | Ira W. Hulette | L. D. Sandlin |
| W. J. Curtis | G. C. Johnson | Avery Sartin |
| Harry Davis | J. H. King | Mrs. M. B. Scott |
| R. A. Demunbrun | John Kirtley | Lyle C. Tackett |
| Garland Embry | W. L. Knuckles, Jr. | Starling B. Tracy |
| Rudy Ferguson | J. S. Mattingly | Robert E. Webb |
| T. P. Fitzpatrick | L. B. Meadors | B. M. Williams |

—51

Resolved that the title thereof be as aforesaid.

Mr. Harmon moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 26. Resolution authorizing G. B. Baker, the heirs of Botney Burnette and Gilbert Begley, respectively to file suits against the Commonwealth of Kentucky and the Game and Fish Commission.

Said resolution is as follows, viz.:

WHEREAS, in the years of 1929 and 1930 there was constructed at Wafford, Whitley County, Kentucky, a State Fish Hatchery for the purpose of hatching and propagating fish; and,

Whereas in the construction of the same the waters of Watts Creek were diverted and a lock and dam were placed across the waters of the said creek for the purpose of creating a reservoir of water and diverting the same into the hatchery ponds; and,

Whereas by reason of the construction of the said Fish Hatchery large quantities of water have been caused to back up and overflow adjacent lands not acquired by the State or Fish and Game Commission, but owned by private persons, and thereby cutting off ingress and egress and making the said land unfit for agricultural purposes and greatly damaging the owners thereof; and,

Whereas, G. B. Baker, the heirs of Botney Burnette, and Gilbert Begley have been damaged by reason of the State Game and Fish Commission and the Commonwealth of Kentucky having so constructed said fish hatchery:

*Be it now Resolved by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That G. B. Baker, the heirs of Botney Burnette and Gilbert Begley, respectively, and each of them, be and they are hereby empowered and authorized to file and prosecute appropriate actions, severally and respectively, against the Commonwealth of Kentucky and the Game and Fish Commission of Kentucky, for the purpose of recovering damages they may have sustained, or may hereafter sustain by reason of the erection of the lock and dam or diversion of waters aforesaid, if any.

§ 2. Such action may be brought in the Whitley Circuit Court, or any other court which may have jurisdiction of the subject matter and either, or any, party to litigation as herein provided may appeal from any judgment which may be rendered therein as in other Civil cases to such appellate courts as provided by law. The controversy may be settled and adjusted in the same way as other civil actions.

§ 3. In the event any judgment is recovered by the said

G. B. Baker, Heirs of Botney Burnette, or Gilbert Begley, or either of them, in suits herein authorized as damages same shall be paid out of moneys appropriated by the Game and Fish Commission out of the game and fish protection fund or which may have been appropriated by the Legislature of this Commonwealth to said Game and Fish Commission or which may be received from any other source by the said Commission as is now provided by Section 1954c-8, Carroll's Kentucky Statutes.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Garland Embry | John Kirtley |
| Carroll D. Asbury | Rudy Ferguson | W. L. Knuckles, Jr. |
| Robert E. Beatty | T. P. Fitzpatrick | M. T. McCarthy |
| B. F. Bedford | Kelly J. Francis | C. C. McMasters |
| Reuben J. Boling | L. J. Gammon | C. C. May |
| O. J. Bowen | W. J. Garnett | L. B. Meadors |
| Jas. C. Bright | J. S. Hall | G. Samuel Milam |
| Corbett Brown | W. Yancey Handy | W. H. Miller |
| Wallace Brown | Frank Harris | Tyler Munford |
| Hugh K. Bullitt | R. M. Harrison, Jr. | Richard H. Nufer |
| Charles Chandler | J. Joseph Hettinger | Robert A. Persky |
| J. A. Coleman | Dr. A. L. Hill | M. D. Phelps |
| Sidney J. Collins | G. W. Howard | Waylon Rayburn |
| G. Cunningham | Ira W. Hulette | L. D. Sandlin |
| Harry Davis | T. M. Johnson | Avery Sartin |
| R. A. Demunbrun | J. H. King | Mrs. M. B. Scott |

Lafe J. Spencer Starling B. Tracy Robert E. Webb
J. Sterling Towles —53

Resolved that the title thereof be as aforesaid.

Mr. Meadors moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 66. Resolution authorizing Carl Wright, administrator of the estate of Otis Wilson Wright, deceased, to sue the Commonwealth of Kentucky, the State Highway Commission and the County of Carroll or any one or more of them.

Said resolution is as follows, viz.:

WHEREAS, on the 21st of February, 1933, Otis Wilson Wright, of Bedford, Trimble County, Kentucky, was killed while driving a truck over a bridge on the Milton-Carrollton road in Carroll County, Kentucky.

WHEREAS, said road had been taken over by the State Highway Commission of the State of Kentucky and specifications had been made at that time by the agents and employees of said State Highway Commission for the construction of a road along said route and that said road and bridge was under the control of the State Highway Commission of the Commonwealth of Kentucky; that while the truck driven by the said Otis Wilson Wright, now deceased, was going over said bridge on the road on the Milton-Carrollton road said bridge collapsed and thereby killed said Otis Wilson Wright.

WHEREAS, Carl Wright is the father of said Otis Wilson Wright, who was of the age of ..... years at the time of his

death; that said Carl Wright has duly qualified as the personal representative of the estate of Otis Wilson Wright in the Trimble County Court where he, Otis Wilson Wright, resided during his lifetime.

*Be it resolved by the General Assembly of the Commonwealth of Kentucky:*

That Carl Wright, administrator of the estate of Otis Wilson Wright be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky, the State Highway Commission and Carroll County or any one or more of them in the Circuit Court of the County of the residence of said Otis Wilson Wright for such damages as he suffered by reason of the death of said Otis Wilson Wright through the carelessness or negligence of the State Highway Commission, its agents or employees or through the carelessness or negligence of Carroll County, its agents or employees. Said suit shall be for any amount not exceeding the sum of Ten Thousand Dollars ($10,000.00) and in the event any judgment is recovered by said Carl Wright, administrator in said suit for the death of said Otis Wilson Wright or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer and paid out of the general fund or paid by the County of Carroll by order of the Fiscal Court drawn on the County Treasurer of said County.

§ 2. Either party to said suit may appeal from any judgment which may be entered therein as in any other civil suit and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Garland Embry | W. L. Knuckles, Jr. |
| Carroll D. Asbury | Rudy Ferguson | Glenn W. Lane |
| Levi Baker | T. P. Fitzpatrick | C. C. McMasters |
| Robert E. Beatty | Kelly J. Francis | C. C. May |
| B. F. Bedford | L. J. Gammon | G. Samuel Milam |
| Reuben J. Boling | W. J. Garnett | H. H. Miller |
| O. J. Bowen | J. S. Hall | W. H. Miller |
| Corbett Brown | W. Yancey Handy | James B. Milliken |
| Wallace Brown | Frank Harris | Tyler Munford |
| Frank C. Bruton | R. M. Harrison, Jr. | Waylon Rayburn |
| Hugh K. Bullitt | J. Joseph Hettinger | L. D. Sandlin |
| Charles Chandler | Dr. A. L. Hill | Avery Sartin |
| J. A. Coleman | G. W. Howard | Mrs. M. B. Scott |
| Sidney J. Collins | Ira W. Hulette | Lyle C. Tackett |
| G. Cunningham | G. C. Johnson | Starling B. Tracy |
| W. J. Curtis | T. M. Johnson | Robert E. Webb |
| Harry Davis | J. H. King | |
| R. A. Demunbrun | Leo King | —52 |

Resolved that the title thereof be as aforesaid.

Mr. Milam moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 74. Resolution authorizing Bud Philpot to sue

the State Highway Commission and the Commonwealth of Kentucky, or either.

Said resolution is as follows, viz.:

WHEREAS, while some grading operations were being carried through in the town of Tompkinsville, Kentucky, the graders deviated from the blue prints of surveys, thereby ruining my property, making it impossible for me to get into my barn, cutting an embankment down to a depth of not less than eight (8) feet, causing a great inconvenience, property damage and handicap.

*Be it resolved by the General Assembly of the Commonwealth of Kentucky:*

That said Bud Philpott be and is hereby authorized and permitted to sue the State Highway Commission and the Commonwealth of Kentucky, or either, for damages to property, damage to barn, inconveniences caused and handicap brought about through carelessness, negligence and failure to carry out original surveys by agents or employees of the State Highway Commission. Said judgment to be a fair and reasonable consideration for said damages set out in suit, and in the event any judgment is recovered by said Bud Philpott, or same is compromised or settled, same shall be paid by the Auditor of Public Accounts, by warrant, drawn on the State Treasurer, and paid out of the General Funds.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Clarence E. Evans | John Kirtley |
| Carroll D. Asbury | Rudy Ferguson | W. L. Knuckles, Jr. |
| Harold L. Barnes | T. P. Fitzpatrick | C. C. May |
| Robert E. Beatty | J. B. Floyd | J. S. Mattingly |
| B. F. Bedford | Kelly J. Francis | L. B. Meadors |
| Wm. B. Belknap | L. J. Gammon | G. Samuel Milam |
| Reuben J. Boling | W. J. Garnett | H. H. Miller |
| Jas. C. Bright | C. Gottschalk | W. H. Miller |
| Corbett Brown | J. S. Hall | Tyler Munford |
| Wallace Brown | W. Yancey Handy | M. D. Phelps |
| Frank C. Bruton | Frank Harris | Waylon Rayburn |
| Hugh K. Bullitt | R. M. Harrison, Jr. | L. D. Sandlin |
| Charles Chandler | J. Joseph Hettinger | Avery Sartin |
| J. A. Coleman | Dr. A. L. Hill | Mrs. M. B. Scott |
| Sidney J. Collins | G. W. Howard | Lyle C. Tackett |
| G. Cunningham | Ira W. Hulette | Elmore J. Thomas |
| Harry Davis | G. C. Johnson | Starling B. Tracy |
| R. A. Demunbrun | T. M. Johnson | Robert E. Webb |
| Garland Embry | J. H. King | B. M. Williams |

—57

There voted in the negative—

Steve Pieratt —1

Resolved that the title thereof be as aforesaid.

Mr. Sartin moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 71. Resolution authorizing Sid Criswell and Ralp Criswell, of Owen County, to sue the Commonwealth of Kentucky.

Said resolution is as follows, viz.:

WHEREAS, within the past two years the State Highway Department has constructed a highway through the property of Sid Criswell and Ralph Criswell, and

WHEREAS, because of the construction of said highway a landslide has been caused, thereby damaging the property of said Sid Criswell and Ralph Criswell, and

WHEREAS, these parties have had their property damaged by such landslide; now therefore,

*Be it resolved by the General Assembly of the Commonwealth of Kentucky:*

That the said Sid Criswell and Ralph Criswell be and they are hereby authorized and permitted to sue the Commonwealth of Kentucky, the Highway Commission, or both, in the Franklin Circuit Court, for the sum of not exceeding one thousand dollars ($1,000.00), to cover the damage caused by said landslide, and in the event any judgment is rendered to said Sid Criswell and Ralph Criswell in such suit same shall be paid by the Treasurer of the Commonwealth of Kentucky, on a warrant from the State Auditor, and both of said parties and the Commonwealth of Kentucky shall have the right to appeal such case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Garland Embry | George R. McIntosh |
| Carroll D. Asbury | Clarence E. Evans | C. C. May |
| Levi Baker | Rudy Ferguson | J. S. Mattingly |
| Harold L. Barnes | T. P. Fitzpatrick | L. B. Meadors |
| Robert E. Beatty | J. B. Floyd | G. Samuel Milam |
| B. F. Bedford | Kelly J. Francis | H. H. Miller |
| Wm. B. Belknap | W. J. Garnett | W. H. Miller |
| Reuben J. Boling | C. Gottschalk | James B. Milliken |
| Jas. C. Bright | W. Yancey Handy | Tyler Munford |
| Corbett Brown | Frank Harris | G. M. Pritchett |
| Wallace Brown | R. M. Harrison, Jr. | L. D. Sandlin |
| Hugh K. Bullitt | J. Joseph Hettinger | Avery Sartin |
| Charles Chandler | Dr. A. L. Hill | Mrs. M. B. Scott |
| J. A. Coleman | G. W. Howard | Harry Sparks |
| Sidney J. Collins | Ira W. Hulette | Lyle C. Tackett |
| G. Cunningham | G. C. Johnson | Starling B. Tracy |
| W. J. Curtis | J. H. King | Robert E. Webb |
| Harry Davis | Leo King | |
| R. A. Demunbrun | W. L. Knuckles, Jr. | —55 |

There voted in the negative—

Steve Pieratt —1

Resolved that the title thereof be as aforesaid.

Mr. Sparks moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 34. Resolution authorizing Sarah Crume to sue the Commonwealth.

Said resolution is as follows, viz.:

WHEREAS, in the months of March, April, May, June and July, 1933, the residence and property of Sarah Crume of Bardstown, Nelson County, Kentucky, was damaged by and by reason of the blasting of rock, and etc., by employees and agents of the Kentucky State Highway Commission, at or near the intersection of U. S. Highway No. 62 and U. S. Highway No. 68, at the eastern edge of the city of Bardstown, and near the residence of the aforesaid Sarah Crume, and said damage was caused by the carelessness and the negligence of the said employees and by the agents of the said Highway Commission while in the performance of their official duties; Therefore,

*Be it resolved by the General Assembly of the Commonwealth of Kentucky:*

That Sarah Crume be, and she is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky in the Circuit Court of the County of her residence for such damages as she may have suffered, if any, by reason of any damage or injury received by her to her said residence and property, through the carelessness or negligence of the agents, or the employees of the State Highway Commission. Said suit shall be for any amount not exceeding the sum of $1,800.00, and in the event any judgment is recovered by said Sarah Crume in said suit for damages, or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer, and paid out of the General Fund.

Either party to said suit may appeal from any judgment which may be entered herein as in any other civil suit, and the

case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as in any other civil case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Clarence E. Evans | C. C. May |
| Carroll D. Asbury | T. P. Fitzpatrick | J. S. Mattingly |
| Levi Baker | J. B. Floyd | L. B. Meadors |
| Harold L. Barnes | Kelly J. Francis | G. Samuel Milam |
| Robert E. Beatty | L. J. Gammon | W. H. Miller |
| B. F. Bedford | C. Gottschalk | James B. Milliken |
| Wm. B. Belknap | J. S. Hall | Tyler Munford |
| Reuben J. Boling | W. Yancey Handy | M. D. Phelps |
| Jas. C. Bright | Frank Harris | Kleber F. Price |
| Corbett Brown | R. M. Harrison, Jr. | Waylon Rayburn |
| Wallace Brown | J. Joseph Hettinger | L. D. Sandlin |
| Hugh K. Bullitt | Dr. A. L. Hill | Avery Sartin |
| Charles Chandler | G. W. Howard | Mrs. M. B. Scott |
| J. A. Coleman | Ira W. Hulette | Lyle C. Tackett |
| Sidney J. Collins | G. C. Johnson | Elmore J. Thomas |
| G. Cunningham | T. M. Johnson | Starling B. Tracy |
| W. J. Curtis | J. H. King | Robert E. Webb |
| Harry Davis | Leo King | B. M. Williams |
| R. A. Demunbrun | John Kirtley | |
| Garland Embry | W. L. Knuckles, Jr. | —58 |

Resolved that the title thereof be as aforesaid.

Mr. Wallace Brown moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 55. A joint and concurrent resolution providing for the payment of money to G. W. Lawrence, A. J. Bauer, Dan Mahoney, Joe Rosson, Robert Baker, Dennis Rath, Robert Pulliam and Forrest Sanford for extra services in caring for the offices in the State Capitol building during the present session of the Legislature, and Mrs. Ollie Brightwell and Mrs. Alice Allnut, employees, engaged as matrons of the State Capitol.

Said resolution is as follows, viz.:

WHEREAS, the aforesaid persons, employees of the Commonwealth of Kentucky, have been required to perform overtime and extra services because of the present session of the General Assembly, now, therefore,

*Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate of the Commonwealth of Kentucky concurring therein:*

That G. W. Lawrence, A. J. Bauer, Dan Mahoney, Joe Rosson, Robert Baker, Dennis Rath, Robert Pulliam, Forrest Sanford, Mrs. Ollie Brightwell and Mrs. Alice Allnut are each hereby allowed the sum of one dollar ($1.00) per day for each day of the present session of the General Assembly, which allowance shall be in addition to the salaries they now receive for their services.

The appropriation hereby made is to be paid out of any funds in the Treasury not otherwise appropriated, and the

Auditor of Public Accounts is hereby ordered and directed to draw his warrant upon the Treasurer to each of the above named persons for the amount due them as herein provided.

Mr. Evans offered the following amendment to said resolution, viz.:

Amend House Resolution 55 by striking out the names of G. W. Lawrence, C. J. Bowen, Dan Mahoney, Joe Rosson, Robert Baker, Dennis Rath, Robert Pulliam, Forrest Sanford in lines 1 and 2 on page 1 thereof.

Said amendment was disagreed to.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | G. Cunningham | W. Yancey Handy |
| Levi Baker | W. J. Curtis | R. M. Harrison, Jr. |
| Harold L. Barnes | Harry Davis | J. Joseph Hettinger |
| B. F. Bedford | R. A. Demunbrun | Dr. A. L. Hill |
| Reuben J. Boling | S. S. Dickson | G. W. Howard |
| Jas. C. Bright | Garland Embry | Ira W. Hulette |
| Corbett Brown | Rudy Ferguson | G. C. Johnson |
| Wallace Brown | T. P. Fitzpatrick | T. M. Johnson |
| Mrs. Cecil Cantrill | J. B. Floyd | W. L. Knuckles, Jr. |
| Charles Chandler | Kelly J. Francis | Glenn W. Lane |
| J. A. Coleman | L. J. Gammon | C. C. May |
| Sidney J. Collins | C. Gottschalk | G. Samuel Milam |

| | | |
|---|---|---|
| H. H. Miller | M. D. Phelps | Lyle C. Tackett |
| W. H. Miller | G. M. Pritchett | J. Sterling Towles |
| James B. Milliken | Waylon Rayburn | Starling B. Tracy |
| Tyler Munford | L. D. Sandlin | B. M. Williams |
| Richard H. Nufer | Avery Sartin | |
| Robert A. Persky | Mrs. M. B. Scott | —52 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Wm. B. Belknap | W. J. Garnett | James I. Peters |
| D. B. Coughlin | Ralph Gilbert | Steve Pieratt |
| Joel T. Crenshaw | Frank Harris | Harry B. Thornton |
| George Dunlap | George R. McIntosh | Henry T. Ward |
| Clarence E. Evans | J. S. Mattingly | Robert E. Webb |
| | | —15 |

Resolved that the title thereof be as aforesaid.

Mr. Gnau moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 70. Concurrent resolution for help for enrolling clerks for Senate and House.

Said resolution is as follows, viz.:

WHEREAS, it will necessitate the employment of additional aid by the enrolling clerks of the House and Senate in order to expedite the business,

*Now therefore, be it resolved by the Senate, the House of Representatives concurring therein:*

§ 1. That the enrolling clerks of the House and Senate be authorized and directed to employ all necessary assistants

who shall be entitled to 35c per page for all bills enrolled by them; and the clerks, House and Senate, are directed to issue their vouchers to the Auditor of Public Accounts, who shall draw his warrant in their favor for the amounts certified by the respective clerks on itemized accounts rendered. Said amounts shall not include any charge by either the enrolling clerk of the House or Senate for any work done by them.

§ 2. Provided, however, that not more than $400.00 shall be expended for this purpose in either house.

§ 3. It being necessary to have the work herein provided for to be done at once, and the officers charged with the duty are not able to perform the volume of work personally, an emergency is declared and this resolution becomes in force and effect upon its adoption.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Carroll L. Cropper | J. S. Hall |
| Carroll D. Asbury | G. Cunningham | W. Yancey Handy |
| Harold L. Barnes | W. J. Curtis | Frank Harris |
| B. F. Bedford | Garland Embry | R. M. Harrison, Jr. |
| O. J. Bowen | Rudy Ferguson | J. Joseph Hettinger |
| Jas. C. Bright | T. P. Fitzpatrick | Dr. A. L. Hill |
| Hugh K. Bullitt | J. B. Floyd | John R. Hobbs |
| Charles Chandler | L. J. Gammon | G. W. Howard |
| J. A. Coleman | W. J. Garnett | Ira W. Hulette |
| Sidney J. Collins | C. Gottschalk | G. C. Johnson |

| | | |
|---|---|---|
| F. P. Kessee | C. C. May | G. M. Pritchett |
| J. H. King | G. Samuel Milam | Waylon Rayburn |
| Leo King | W. H. Miller | L. D. Sandlin |
| John Kirtley | James B. Milliken | Avery Sartin |
| W. L. Knuckles, Jr. | Tyler Munford | Mrs. M. B. Scott |
| Glenn W. Lane | Richard H. Nufer | Lyle C. Tackett |
| M. T. McCarthy | Robert A. Persky | Starling B. Tracy |
| C. C. McMasters | M. D. Phelps | |
| Roy McWaters | Steve Pieratt | —55 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Wm. B. Belknap | Alden L. Love | Elmore J. Thomas |
| D. B. Coughlin | George R. McIntosh | Henry T. Ward |
| Joel T. Crenshaw | Herschel McKinley | Robert E. Webb |
| Harry Davis | J. S. Mattingly | J. B. Wicker |
| George Dunlap | L. B. Meadors | |
| Clarence E. Evans | H. H. Miller | —15 |

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 23. Resolution authorizing Jarrett and McRoberts to sue the Commonwealth of Kentucky for the sum of $200.00.

Said resolution is as follows, viz.:

WHEREAS, in the year 1930, H. D. Palmore, while employed by the State Highway Commission as an Engineer of Construction for the State Highway Department of the State of Kentucky, and as said employee of said State Highway

Department, during said year, purchased from Jarrett and McRoberts, a partnership, of Salt Lick, Bath County, Kentucky, four hundred locust posts, to be used as guard posts along fills and cuts of the Midland Trail, United States Road No. 60, and other roads of the State, at the price of fifty cents per post, aggregating the sum of $200.00 and that said sum is reasonable charge for said posts furnished the State of Kentucky and should be paid the said Jarrett and McRoberts by the Commonwealth of Kentucky; therefore,

*Be it resolved by the General Assembly of the Commonwealth of Kentucky:*

That the said Jarrett and McRoberts be, and they are hereby authorized and permitted to sue the Commonwealth of Kentucky, the Highway Commission, or both in the Franklin Circuit Court, for the sum of $200, covering the amount of said road guard posts sold to the said H. D. Palmore, the duly authorized agent of the said Highway Department of the State of Kentucky, and in the event any judgment is recovered by the said Jarrett and McRoberts in said suit, same shall be paid by the Treasurer of the Commonwealth of Kentucky, on a warrant from the State Auditor, and both the said Jarrett and McRoberts and the Commonwealth of Kentucky shall have the right to appeal said case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen Carroll D. Asbury Levi Baker

| | | |
|---|---|---|
| Harold L. Barnes | Clarence E. Evans | Roy McWaters |
| B. F. Bedford | Rudy Ferguson | C. C. May |
| Wm. B. Belknap | L. J. Gammon | J. S. Mattingly |
| Reuben J. Boling | W. J. Garnett | L. B. Meadors |
| Jas. C. Bright | C. Gottschalk | G. Samuel Milam |
| Corbett Brown | W. Yancey Handy | James B. Milliken |
| Wallace Brown | Frank Harris | Tyler Munford |
| Hugh K. Bullitt | R. M. Harrison, Jr. | Robert A. Persky |
| Charles Chandler | J. Joseph Hettinger | Waylon Rayburn |
| J. A. Coleman | Dr. A. L. Hill | L. D. Sandlin |
| Sidney J. Collins | G. W. Howard | Avery Sartin |
| Joel T. Crenshaw | Ira W. Hulette | Harry Sparks |
| G. Cunningham | G. C. Johnson | Lyle C. Tackett |
| W. J. Curtis | T. M. Johnson | Harry B. Thornton |
| Harry Davis | Leo King | Starling B. Tracy |
| R. A. Demunbrun | John Kirtley | Robert E. Webb |
| Garland Embry | W. L. Knuckles, Jr. | —56 |

Those who voted in the negative were—

| | | |
|---|---|---|
| T. P. Fitzpatrick | Alden L. Love | H. H. Miller |
| J. H. King | Herschel McKinley | Steve Pieratt |
| | | —6 |

Resolved that the title thereof be as aforesaid.

Mr. Tackett moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 69. Resolution providing for furnishing Kentucky Directories.

Said resolution is as follows, viz.:

*Be it resolved by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That the State Librarian is hereby authorized and directed to purchase at not exceeding two dollars per copy five hundred and fifty copies of the book entitled "Kentucky Directory 1934" for the use of the Courts, state and county officers and members of the General Assembly. The Librarian will furnish the members of the General Assembly and such officers as may be designated by the Presiding officers of the respective Houses a copy of same and will furnish the state officials with copies thereof and will send a copy thereof to the Clerk of the County Court of each county in the state to be kept in his office. The Librarian will furnish to the Librarian of each state and territory of the union a copy of said book in exchange for similar books from said states and territories, and a copy to the Librarian of Congress, and deliver to the Secretary of State fifty copies to exchange.

§ 2. It being necessary that the officers should have the books herein provided for, an emergency is declared and this resolution shall take effect upon its adoption and approval by the Governor.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen Carroll D. Asbury Levi Baker

| | | |
|---|---|---|
| Harold L. Barnes | Rudy Ferguson | John Kirtley |
| B. F. Bedford | T. P. Fitzpatrick | Alden L. Love |
| Wm. B. Belknap | J. B. Floyd | C. C. May |
| O. J. Bowen | Kelly J. Francis | J. S. Mattingly |
| Jas. C. Bright | W. J. Garnett | L. B. Meadors |
| Corbett Brown | C. Gottschalk | G. Samuel Milam |
| Wallace Brown | J. S. Hall | W. H. Miller |
| Frank C. Bruton | W. Yancey Handy | James B. Milliken |
| Hugh K. Bullitt | Frank Harris | Tyler Munford |
| Charles Chandler | R. M. Harrison, Jr. | Robert A. Persky |
| J. A. Coleman | J. Joseph Hettinger | M. D. Phelps |
| Sidney J. Collins | Dr. A. L. Hill | G. M. Pritchett |
| G. Cunningham | G. W. Howard | Waylon Rayburn |
| W. J. Curtis | Ira W. Hulette | L. D. Sandlin |
| Harry Davis | G. C. Johnson | Avery Sartin |
| R. A. Demunbrun | T. M. Johnson | Mrs. M. B. Scott |
| Garland Embry | J. H. King | Starling B. Tracy |
| Clarence E. Evans | Leo King | J. B. Wicker |

—57

Those who voted in the negative were—

| | | |
|---|---|---|
| Joel T. Crenshaw | Herschel McKinley | Elmore J. Thomas |
| W. L. Knuckles, Jr. | H. H. Miller | Henry T. Ward |

—6

Resolved that the title thereof be as aforesaid.

Mr. Boling moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Boling moved that the privilege of the floor be extended to Mr. D. B. Phelps of Cloverport, Kentucky.

Said motion was agreed to.

Dr. Hill moved that Master Wendell Ford and Miss Betty John Ford be appointed Honorary Pages of this House.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 838. An Act to repeal, amend and re-enact Section 1938a-5 of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, relating to the protection of rabbits.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 1938a-5 of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed, amended and re-enacted so that when re-enacted it will read as follows:

No person shall, between the 11th day of January and the 22d day of November, both days inclusive, in any year, catch, kill, injure or pursue with such intent any rabbit; provided, however, anyone may catch rabbits with dogs or in traps, upon their own property, for their own use, but said rabbits or parts thereof, cannot be bartered or traded, or offered or exposed for sale, barter or trade, between the dates above mentioned; provided, however, that it shall be unlawful to catch or take by means of snares any rabbit at any time.

Anyone violating any of the provisions of this Act shall be fined not less than $15.00 nor more than $50.00 for each offense.

All acts or parts of acts in conflict herewith are hereby repealed.

Mr. Love offered the following amendment to said bill, viz.:

Amend H. B. 838 by striking from line 4, "the 22nd" and inserting the "23rd".

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | S. S. Dickson | G. W. Howard |
| Carroll D. Asbury | George Dunlap | Ira W. Hulette |
| Harold L. Barnes | Garland Embry | G. C. Johnson |
| B. F. Bedford | Clarence E. Evans | T. M. Johnson |
| Wm. B. Belknap | Rudy Ferguson | John Kirtley |
| Jas. C. Bright | T. P. Fitzpatrick | W. L. Knuckles, Jr. |
| Corbett Brown | J. B. Floyd | Alden L. Love |
| Wallace Brown | Kelly J. Francis | George R. McIntosh |
| Hugh K. Bullitt | W. J. Garnett | C. C. May |
| Mrs. Cecil Cantrill | Ralph Gilbert | J. S. Mattingly |
| Charles Chandler | C. Gottschalk | L. B. Meadors |
| J. A. Coleman | J. S. Hall | G. Samuel Milam |
| Sidney J. Collins | W. Yancey Handy | H. H. Miller |
| G. Cunningham | Frank Harris | W. H. Miller |
| W. J. Curtis | R. M. Harrison, Jr. | James B. Milliken |
| Harry Davis | J. Joseph Hettinger | Tyler Munford |
| R. A. Demunbrun | Dr. A. L. Hill | Robert A. Persky |

| | | |
|---|---|---|
| M. D. Phelps | L. D. Sandlin | John W. Taylor |
| Steve Pieratt | Avery Sartin | Elmore J. Thomas |
| G. M. Pritchett | Mrs. M. B. Scott | Starling B. Tracy |
| Waylon Rayburn | Lyle C. Tackett | B. M. Williams |

—63

Those who voted in the negative were—

J. H. King Herschel McKinley —2

Resolved that the title thereof be as aforesaid.

Mr. W. H. Miller moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 829. An Act to provide for the licensing of road, highway and bridge contractors by the State Highway Commission; providing for an investigation and examination of such contractors; providing for the adoption and enforcement of rules and regulations by the Commission governing persons, firms, associations and corporations, having contracts or bidding for contracts with the State Highway Commission, to construct, reconstruct or maintain state roads, highways or bridges; empowering the Commission to grant certificates of eligibility to contractors and providing for the revocation of such certificates; providing for an appeal from the decision of the Commission to the Franklin County Circuit Court, or any other court of competent jurisdiction; providing for the naming of all subcontractors when contracts are sublet; authorizing the Commission to make public the qualified contractors; persons, firms, associations or corpora-

tions who are eligible and authorized to do business with the State Highway Commission; providing nature of contracts to which this act shall apply and providing for the levying of a license tax to carry out the provisions of this act.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. Every person, firm, association or corporation, from and after the effective date of this act, who shall seek to procure, bid upon, or offer to bid upon any contract with the State Highway Commission, for the construction or maintenance of any public road or highway, or any section thereof; or any bridge or bridge approach, or any section thereof, before procuring a proposal form, or submitting any bid to obtain such contract shall apply for and procure a certificate of eligibility and qualification from the Commission to bid on such work.

All applications for a certificate of eligibility shall be made to the Commission in writing, and the Commission shall act upon the application within a period of thirty (30) days from the date when the application is filed.

§ 2. The authority to determine who shall be eligible to bid upon any contract with the Commission for the construction, reconstruction or maintenance of any public road or highway, or section thereof; or any bridge or bridge approach, or section thereof, shall be and is hereby vested in the State Highway Commission. The Commission is hereby authorized and empowered to adopt such rules and regulations and make such investigations and examinations as it may deem fit and necessary in order to determine the financial status, experience, responsibility, business ability, previous record, sufficiency of plant and equipment, and any other pertinent facts and information necessary for the Commission to determine the eligibility of the proposed bidder.

The Commission shall establish rules and regulations

governing the application for the certificate of eligibility, the means and methods of obtaining information relative to the applicant, and the granting of, or refusal to grant, a certificate of eligibility, and to this end may require a financial statement of the applicant as often as the Commission may deem necessary, and at least once in every twelve (12) months verified by the applicant, or if a corporation by the authorized official thereof.

§ 3. After obtaining such information as the Commission may deem necessary relative to the fitness and qualification of the applicant, the Commission shall proceed to determine whether or not the applicant is eligible to bid upon road or highway or bridge contracts within the meaning of this act. All applicants for qualification shall be promptly notified by the Commission of its final action on their applications.

Any applicant aggrieved by the decision of the Commission may, within ten (10) days after receiving notification of such decision request in writing a reconsideration of his application by the Commission, and may submit additional evidence bearing on his qualifications. The Commission shall thereupon again consider the application, and may either adhere to, reverse, or modify its previous decision. The Commission shall act upon any request for reconsideration within thirty (30) days after the filing thereof, and shall forthwith notify the applicant of the action taken.

Upon being notified of the final action of the Commission upon such reconsideration, any applicant who is still aggrieved by the decision of the Commission may, within ten (10) days after receiving notification of such decision, take an appeal therefrom to the Franklin County Circuit Court, or any other court of competent jurisdiction. Such appeal shall be perfected by the filing of a bond with the clerk of said court in such amount as the clerk may fix, conditioned for the payment by the applicant of the cost of the appeal in case the decision of the Commission shall be sustained, and by

causing a summons to be served upon the Commission as in other civil actions. The grounds of appeal shall be fraud or abuse or discretion by the Commission. The court shall hear the evidence offered by the applicant and by the Commission. If the court finds that there was neither fraud or abuse of discretion, it shall dismiss the appeal; otherwise it shall be authorized to make the order with respect to qualification which it finds should have been made by the Commission, which order shall be binding upon the Commission.

In the event the Commission shall determine that the applicant is eligible within the meaning of this act, the Commission shall forthwith issue to said applicant a certificate of eligibility, which certificate shall entitle the holder thereof to bid upon any and all such contracts with the Commission for the construction, reconstruction, or maintenance of any public road or highway, or section thereof; or any bridge or bridge approach, or section thereof, upon which bids are being asked; but said Commission shall have the power and authority to limit the scope of such certificate of eligibility as to the number or type of projects that the contractor may bid upon, and to fix the highest amount of work he shall be eligible to bid upon, unless and until said certificate of eligibility shall be revoked or canceled by the Commission as provided for in this act.

Any applicant who is dissatisfied with the Commission's decision and ruling as to the aggregate amount of work which he will be permitted to have under contract at any one time, may at any time file a new application for qualification. Such new application shall be promptly considered and acted upon by the Commission.

In the event the Commission shall determine that any applicant hereunder is ineligible to bid as herein provided, said Commission shall reject such application and refuse to issue a certificate of eligibility, and said applicant shall not thereafter be entitled to make application for a certificate of eligibility until such time as he is financially and in all other

ways qualified, provided, however, that a certificate of eligibility shall not be denied to any applicant upon the sole issue of residence or nationality.

§ 4. A certificate of eligibility may be revoked by the Commission only after a written notice is given to the qualified bidder and an opportunity given to him to be heard by the Commission. This notice shall not only be given to him in writing but shall also state and enumerate the grounds on which the revocation is proposed to be issued.

§ 5. No bidder shall be given a certificate of qualification unless his financial statement and the investigation made by the Commission shall show that he possesses net current assets or working capital sufficient in the judgment of the Commission to render it probable that he can satisfactorily execute his contracts and meet obligations therein incurred. All applications for qualification shall expressly authorize the Commission to obtain all information which it may deem pertinent with respect to the financial status, assets, liabilities of the applicant from banks or other financial institutions, surety companies, dealers in material, equipment or supplies, or other persons having business transactions with the applicant, and shall expressly authorize all such financial institutions or persons to furnish any such information requested from them by the Commission.

The Commission may in its discretion make public from time to time lists of qualified bidders, but such lists shall be general in character and shall not indicate the size of the contracts with respect to which such bidders have qualified.

Where the applicant is a foreign corporation the application shall be accompanied by a certificate from the Secretary of State that such corporation is authorized to do business in the state wherein the corporation is incorporated.

§ 6. This act shall be administered without reference to the residence of applicants, and its provisions and rules and regulations formulated by the State Highway Commission and adopted pursuant thereto shall apply equally and the

same to residents and non-residents of the State of Kentucky.

§ 7. Before making an award the Commission may require of the bidder to name the subcontractor whom such bidder intends to employ for the various divisions of the work bid upon.

§ 8. The Commission shall not be authorized to consider any bid filed with it by any person, firm, association, or corporation who had not been qualified under the terms and provisions of this act. Bids from unqualified bidders which are discovered by the Commission prior to their reading thereof shall be returned to the bidders without being read. In the event the Commission finds subsequent to the opening of bids that facts exist which would disqualify the lowest bidder, or that such bidder is not responsible and competent, the Commission is hereby directed to reject such bid, despite the previous qualification of the bidder. It shall be unlawful to award any contract to any bidder not qualified to bid thereon at the time such bids are opened.

The provisions of this act shall not apply to the purchase (direct) of equipment, materials and supplies by the Highway Commission except as to crushed stone in lots of more than one thousand (1,000) tons and bituminous materials in tank car lots.

§ 9. In order to provide revenue needed to carry out the provisions of this act and to make the necessary examinations and investigations as to the eligibility of proposed bidders; every person, firm, association, or corporation who applies for, and is granted, a certificate of eligibility as provided for in this act, shall pay to the State Highway Commission, or to its agents thereof, an annual license fee of fifty ($50.00) dollars, the fee to accompany any application filed with the Commission, and said license shall expire on December 31st of the same year in which it is granted. If during the month of January following the expiration of the certificate of eligibility, the holder of the certificate expiring desires to have it renewed he may do so by the payment of a

renewal fee of ten ($10.00) dollars, provided the application for renewal accompanied by the payment of ten ($10.00) dollars is made before February first (1st) following the date of expiration of the certificate of eligibility. If the application for renewal is not made before February first (1st) following such expiration then such person, firm, association or corporation making application for renewal shall pay fifty ($50.00) dollars and be subject to all the provisions and requirements of this act relative to securing an original certificate of eligibility. In order to carry out the provisions of this act efficiently and effectively, and to set the machinery into action, all applications for a certificate of eligibility made during the remainder of this year (1934), shall pay a fee of fifty ($50.00) dollars.

Said funds shall be used by the Commission to defray the expenses necessary to carry out the provisions of this act, and at the end of each fiscal year, any unexpended balance in said fund shall be paid into the State Treasury and credited to the road fund.

In the event a certificate of eligibility is not granted, then the Commission shall return the fee to the applicant.

§ 10. All laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

§ 11. If any of the provisions of this act shall be held to be invalid or unconstitutional such finding shall not affect any other provisions of this act, it being the intention of the General Assembly that in enacting this act each section shall be considered alone and separately; and if any provision contained in any specific section of this act shall be held invalid or unconstitutional, said fact shall not affect the remaining portion of the act, it being the intention of the General Assembly to enact each section and provision of this act, separately.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | J. S. Hall | Tyler Munford |
| Harold L. Barnes | W. Yancey Handy | Richard H. Nufer |
| Robert E. Beatty | J. Joseph Hettinger | Robert A. Persky |
| B. F. Bedford | Dr. A. L. Hill | M. D. Phelps |
| Reuben J. Boling | G. W. Howard | Steve Pieratt |
| Jas. C. Bright | Ira W. Hulette | G. M. Pritchett |
| Corbett Brown | G. C. Johnson | Waylon Rayburn |
| Mrs. Cecil Cantrill | T. M. Johnson | L. D. Sandlin |
| Charles Chandler | F. P. Kessee | Avery Sartin |
| J. A. Coleman | Leo King | Mrs. M. B. Scott |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Alden L. Love | Starling B. Tracy |
| W. J. Curtis | C. C. May | Henry T. Ward |
| Clarence E. Evans | G. Samuel Milam | J. B. Wicker |
| Rudy Ferguson | H. H. Miller | B. M. Williams |
| J. B. Floyd | W. H. Miller | |
| C. Gottschalk | James B. Milliken | —49 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Garland Embry | C. C. McMasters |
| Wm. B. Belknap | Kelly J. Francis | J. S. Mattingly |
| Wallace Brown | W. J. Garnett | L. B. Meadors |
| D. B. Coughlin | Ralph Gilbert | James I. Peters |
| Joel T. Crenshaw | Frank Harris | Harry Sparks |
| R. A. Demunbrun | J. H. King | John W. Taylor |
| S. S. Dickson | George R. McIntosh | Elmore J. Thomas |
| George Dunlap | Herschel McKinley | Robert E. Webb |

—24

Resolved that the title thereof be as aforesaid.

Mr. Allen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 375. An Act providing for the payment of ad valorem property taxes in four equal installments, due as follows: July first, September first, December first, and March first; providing that the second installment shall be deemed due and payable as of the same day as the first installment in case the first installment is not paid within thirty days after its due date; providing that all taxes shall be deemed delinquent if not paid on or before the first day of the next month following their due dates; prescribing penalties for delinquency; providing for part payment of taxes before or after their due dates and discount on taxes paid before they become due; and repealing and re-enacting Section 4148, Kentucky Statutes, Carroll's 1930 Edition, as amended.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. Section 4148, Kentucky Statutes, Carroll's 1930 Edition, as amended by Chapters 129 and 148 of the Acts of the General Assembly of 1932, is hereby repealed and re-enacted, to read as follows:

Section 4148: All annual state, county, and district taxes on all property subject to general levies for annual ad valorem taxation shall be due and payable in four equal installments. The first one-fourth of such taxes shall be due

and payable on the first day of July after the assessment; the second one-fourth on the first day of September next succeeding; the third one-fourth on the first day of December next succeeding; and the final one-fourth on the first day of March next succeeding; provided that, if the first such installment of such taxes is not paid on or before the first day of October, all such installments shall be deemed to have become due and payable on the said first day of September. The amount of all taxes remaining unpaid on the first day of the month following that in which they have become due and payable, shall be deemed delinquent, and such taxes shall bear interest at the rate of six per cent (6%) per annum from such due date until paid, and a penalty of six per centum (6%) additional on the taxes so delinquent shall be paid, provided that, if all installments shall be paid in full on or before the first day of December, such penalty shall not apply. Any taxpayer may pay, and the county treasurer is hereby authorized and required to receive, at any time, any amount in even dollars to be applied in part payment of the taxes of such taxpayer that may be due and payable, or as advance payment on account of such taxes to become due and payable. A discount of six per cent (6%) per annum shall be allowed on all amounts of taxes so prepaid, for the time from the date of such payment until the date when such taxes would otherwise become due and payable.

§ 2. All laws or parts of laws inconsistent with this act, are hereby repealed.

§ 3. This act shall take effect on the first day of July, 1934.

Mr. G. C. Johnson moved that said bill be laid on the table.

Said motion was agreed to.

And so said bill was tabled.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 774. An Act to repeal Section 97 of the Carroll's Kentucky Statutes, which is part of the Acts of the General Assembly of 1892, Chapter 100.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 97 of Carroll's Kentucky Statutes, which is a part of the acts of the General Assembly of 1892, Chapter 100, be, and the same is hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Sidney J. Collins | T. P. Fitzpatrick |
| Carroll D. Asbury | D. B. Coughlin | Kelly J. Francis |
| Robert E. Beatty | Carroll L. Cropper | Ralph Gilbert |
| B. F. Bedford | G. Cunningham | C. Gottschalk |
| Wm. B. Belknap | W. J. Curtis | J. S. Hall |
| Reuben J. Boling | Harry Davis | Frank Harris |
| Jas. C. Bright | R. A. Demunbrun | R. M. Harrison, Jr. |
| Corbett Brown | S. S. Dickson | Dr. A. L. Hill |
| Wallace Brown | Garland Embry | Ira W. Hulette |
| Charles Chandler | Clarence E. Evans | G. C. Johnson |
| J. A. Coleman | Rudy Ferguson | J. H. King |

| | | |
|---|---|---|
| Leo King | G. Samuel Milam | John W. Taylor |
| W. L. Knuckles, Jr. | H. H. Miller | Elmore J. Thomas |
| Glenn W. Lane | Tyler Munford | Starling B. Tracy |
| Alden L. Love | M. D. Phelps | Henry T. Ward |
| Herschel McKinley | Steve Pieratt | Robert E. Webb |
| C. C. McMasters | G. M. Pritchett | J. B. Wicker |
| C. C. May | Waylon Rayburn | B. M. Williams |
| J. S. Mattingly | L. D. Sandlin | —56 |

There voted in the negative—

Clarence Miller —1

Resolved that the title thereof be as aforesaid.

Mr. Williams moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 638. An Act to authorize counties to acquire elementary and/or high school buildings and to issue bonds therefor, payable from the revenues of such buildings, and declaring an emergency to exist.

Said bill is as follows, viz.:

Whereas, many of the school districts of the State of Kentucky are without proper and suitable school buildings and other physical facilities thus endangering the health, safety, convenience and general welfare of the children thereof; and,

Whereas, the existing condition of financial distress of such school boards makes it impossible for them to obtain

such needed physical facilities without supplementary financial assistance; and,

Whereas, the Federal Government, through the Public Works Administration of the National Industrial Recovery Act, is offering financial aid to the extent of a direct gift of 30 per cent of the cost of labor and materials and a loan of the remaining 70 per cent of the cost of labor and materials, at 4 per cent interest, necessary for the erection of needed public buildings for the use and benefit of society; and,

Whereas, there are no statutory provisions whereby boards of education of the various school districts of the State of Kentucky may qualify for financial assistance under regulations for such grants and aids as is prescribed by the Federal Emergency Administration of Public Works under the National Industrial Recovery Act; and,

Whereas, the construction of adequate school buildings for the children of the various school districts of the state is a part of the National Recovery Program and is to provide for the immediate employment of labor and the improvement of the school property of the State of Kentucky: now, therefore,

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That counties whether organized under the general law or special charter law are hereby authorized and empowered to establish and erect elementary and/or high school buildings, together with necessary appurtenances thereto under the provisions of this act for the purpose of supplying the boards of education or boards of trustees of such county or independent graded common school districts located outside of the incorporated cities of such county, adequate buildings necessary to carry out their corporate duties and powers.

§ 2. For the purpose of defraying the cost of acquiring any such elementary and/or high school building by construction and appurtenances thereto, any such county may borrow

money from the Public Works Administration or other agency of the Federal Government and issue negotiable bonds, provided no such bonds shall be issued unless and until authorized by a resolution specifying the proposed undertaking, the amount of bonds to be issued and the maximum rate of interest such bonds are to bear, which shall not be more than six per cent (6%) per annum. Such resolution shall further provide that the proposed elementary and/or high school buildings and appurtenances thereto are to be constructed or acquired pursuant to the provisions of this act.

§ 3. All bonds under the provisions of this act may be used bearing interest at a rate not exceeding six per cent per annum, payable semi-annually, and shall be executed in such maner and be payable at such times, not exceeding thirty years from the date thereof, and at such place or places as such fiscal court or board of commissioners shall determine.

§ 4. Any and all such bonds shall have and are hereby declared to have in the hands of *bona fide* holders all of the qualities of negotiable instruments under the law merchant, and shall not be subject to taxation. In case any of the officers whose signatures or counter signatures appearing on the bonds or coupons shall cease to be such officers before the delivery of such bonds, such signatures or counter signatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery. Such bonds shall be sold in such manner and upon such terms as the fiscal court or board of commissioners shall deem for the best interest of such county. Such bonds when issued shall be payable solely from the revenue funds derived from such elementary and/or high school building as provided in sections eight and nine hereof and shall not constitute an indebtedness of such county within the meaning of the constitutional provisions or limitations. It shall be plainly stated on the face of such bond that same has been issued under the provisions of this act and that it does not constitute an in-

debtedness of such county within the meaning of any constitutional provisions or limitations.

§ 5. All moneys received from any bonds issued pursuant hereto shall be applied solely for the establishment or erection of such elementary and/or high school building and necessary appurtenances thereto, provided such moneys may be used also to advance the payment of the interest on bonds during the first three years following the date of such bonds. And there shall be and there is hereby created a statutory mortgage lien upon the elementary and/or high school building and appurtenances so acquired to and in favor of the holders of said bonds and each of them and to and in favor of the holders of the coupons of said bonds.

§ 6. The elementary and/or high school building so acquired, together with the appurtenances thereto, shall remain subject to such statutory lien until the payment in full of the principal and interest of the bonds. Any holder of said bonds or of any of the coupons may, either at law or in equity, protect and enforce the statutory mortgage lien hereby conferred and may by suit, action, mandamus or other proceedings, enforce and compel performance of all duties required by this act, including the making and collecting of sufficient rates, the segregation of the income and revenue, and the application thereof.

§ 7. If there be any default in the payment of the principal or interest of any of said bonds, any court having jurisdiction of the action may appoint a receiver to administer said elementary and/or high school building on behalf of the county, with power to charge and collect rentals sufficient to provide for the payment of any bonds or obligations outstanding against said elementary and/or high school building and for the payment of the operating expenses and apply the income and revenues in conformity with this act, and the resolution referred to in sections eight and nine hereof.

§ 8. When any such county shall desire to construct

such elementary and/or high school building, the fiscal court or board of commissioners of such county shall, by resolution, cause plans and specifications of such building to be constructed, to be duly made and filed in the office of the county court clerk, which plans and specifications shall give a full description of the building to be constructed, the details thereof and the manner of construction.

The plans and specifications of such building shall be prepared by an architect selected by the fiscal court approved by the board of education or board of trustees of the school district and shall be submitted to the board of education or the board of trustees of the school district in which said building is proposed to be constructed and to the Superintendent of Public Instruction for approval and if approved, and if such board of education or board of trustees shall offer to lease such building for a term of one or more years from the time such building shall be completed and ready for occupancy, with the right and option in such lessee to extend the term of such lease for a term of one or more years from the expiration of the original term of such lease and for one or more years from the expiration of each extended term of such lease, until the original term of such lease shall have been extended for a total number of years, not exceeding thirty years, at a rental which, if paid for the original term and for each of the full number of years for which the term of said lease may be extended, will amortize the total cost of the erection of said building and appurtenances, provide an adequate maintenance fund and in addition thereto a sum sufficient to pay the cost of insuring the building erected against loss or damage by fire and windstorm or other calamity in such sum as may be agreed by the parties thereto, the fiscal court or board of commissioners shall by resolution authorize the issuance of bonds, in the manner and form as herein provided, sufficient to pay the cost of constructing such building, and shall cause the county court clerk to advertise for bids, and thereafter the fiscal court or board of commissioners, by and

through the county judge of such county judge of such county, may contract for the construction of such building.

§ 9. At or before the issuance of such bonds the fiscal court or board of commissioners of such county shall, by resolution, set aside and pledge the income of such building into a separate and special fund to be used and applied in payment of the cost thereof and in the maintenance thereof. Said resolution shall definitely fix and determine the amount of revenue which shall be necessary and be set aside and applied for the payment of the principal and interest of the bonds, and balance of such income shall be set aside for the reasonable and proper maintenance thereof, including a sufficient sum to pay the cost of such insurance as hereinabove provided. The rentals to be charged for the use of such building shall be sufficient to provide for the payment of interest upon all bonds and to create a sinking fund to pay the principal thereof as and when the same becomes due and to provide for the maintenance thereof including the cost of insuring such building erected against loss or damage by fire and windstorm or other calamity.

§ 10. If any surplus shall be accumulated in the maintenance fund, which shall be equal to the cost of maintaining such building during the remainder of the calendar, or fiscal year, as may be provided by the resolution hereinbefore required and the cost of maintaining and operating such building the succeeding like calendar or fiscal year, any excess over such amount shall be transferred to the sinking fund.

§ 11. Such county may issue refunding bonds for the purpose of providing funds for the payment of any outstanding bonds, in accordance with the procedure prescribed by this act. Such refunding bonds shall be secured to the same extent and shall have the same source of payment as the bonds which shall have been thereby refunded.

§ 12. Should the fiscal court or board of commissioners find that the bonds authorized will be insufficient to accom-

plish the purpose desired, additional bonds may be authorized and issued subject to the procedure as herein required.

§ 13. Such county in acquiring any building under the provisions of this act, may provide by resolution any such provision and stipulation for the administration of the income and for the security of the bondholders as the fiscal court or board of commissioners of such county may deem necessary: Provided that the sinking fund, which shall be provided by resolution as hereinbefore required, shall be deposited in a depository selected by such fiscal court or board of commissioners, which deposit, where practicable, may be continuously secured by a pledge to the county of direct obligations of the United States of America, exclusive of accrued interest, at all times at least equal to the balance on deposit in such account, or in such other manner acceptable to the purchaser or holders of such bonds. Such securities shall either be deposited with the county or be held by a trustee or agent satisfactory to the fiscal court or board of commissioners of such county. Such sinking fund may be invested in direct obligations of the United States of America.

§ 14. When such board of education or board of trustees has paid rentals, in the manner and form as provided in this act, sufficient to amortize the cost of the erection of such building and appurtenances, to maintain such building and pay the cost of insurance, such county shall thereupon convey said premises to such board, and shall transfer the balance, if any, remaining in the funds herein provided to the account of such board of education or board of trustees.

§ 15. This act shall be deemed to create an additional and alternate method for the acquisition of elementary and/or high school buildings by the county and shall not be deemed to include, alter, amend or repeal any other statute.

§ 16. Whereas, many of the counties to which this act is applicable are now without adequate elementary and/or high school buildings, thus endangering the health, safety,

convenience and general welfare of the children thereof, now, therefore, an emergency is hereby declared to exist and this act shall take effect immediately upon its passage and approval.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Kelly J. Francis | Clarence Miller |
| B. F. Bedford | C. Gottschalk | H. H. Miller |
| Wm. B. Belknap | W. Yancey Handy | Tyler Munford |
| Corbett Brown | Frank Harris | Richard H. Nufer |
| Wallace Brown | R. M. Harrison, Jr. | M. D. Phelps |
| Mrs. Cecil Cantrill | J. Joseph Hettinger | Steve Pieratt |
| J. A. Coleman | Dr. A. L. Hill | G. M. Pritchett |
| Sidney J. Collins | Ira W. Hulette | Waylon Rayburn |
| Joel T. Crenshaw | G. C. Johnson | L. D. Sandlin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| W. J. Curtis | Leo King | Harry Sparks |
| Harry Davis | W. L. Knuckles, Jr. | Lyle C. Tackett |
| R. A. Demunbrun | Glenn W. Lane | John W. Taylor |
| Garland Embry | Alden L. Love | Starling B. Tracy |
| Rudy Ferguson | C. C. May | Robert E. Webb |
| T. P. Fitzpatrick | L. B. Meadors | J. B. Wicker |
| J. B. Floyd | G. Samuel Milam | B. M. Williams |

—51

There voted in the negative—

Henry T. Ward —1

Resolved that the title thereof be as aforesaid.

Mr. Rayburn moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 539. An Act requiring the County Judge, County Clerk, Circuit Clerk and Sheriff to take affidavits from individuals offering themselves as surety on bonds executed before the County Judge, the County Clerk, the Circuit Clerk and Sheriff, and providing that no individual shall be accepted as surety on any bond unless the statements contained in the affidavits disclose that the affiant has sufficient property in this state subject to execution, over and above all affiiant's debts and exemptions as allowed by law, in a sum equal to or in excess of the amount of the bond executed; and further providing that trust companies, acting in a fiduciary capacity, before being accepted as a fiduciary, shall file within sixty days after the passage of this act and have recorded in the County Court Clerk's office and annually thereafter on January 1st, a sworn statement executed by an authorized officer of the trust company showing the amount of its capital stock, the total sum of bonds executed by it for all active trusts in its possession and the total sum of moneys held on deposit or invested for the use and benefit of its wards; and providing the form of affidavit to be executed by individuals; and further requiring all sureties to give immediate notice to the officer, having accepted them as surety on any bond or bonds, of any loss or disposal of property in a sum sufficient to affect the solvency of any bond or bonds executed by them; and providing penalties for failures of officers, individuals and trust companies to comply herewith.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That the County Judge, County Clerk, Circuit Clerk and Sheriff shall take the affidavits of all individuals offering themselves as surety on bonds executed before the County Judge, County Clerk, Circuit Clerk and Sheriff, and no person shall be accepted as surety on any bond or bonds unless the statements contained in the affidavit disclose that the affiant has sufficient property in this state subject to execution, over and above all of affiant's debts and exemptions as allowed by law, in a sum equal to or in excess of the amount of the bond executed.

§ 2. That trust companies, acting in a fiduciary capacity, and before being accepted by the County Judge as a fiduciary, shall file within sixty days after the passage of this act and have recorded in the County Court Clerk's Office, and annually thereafter on January 1st, a sworn statement executed by an authorized officer of the trust company showing the amount of its capital stock, the total sum of bonds executed by it for all active trusts in its possession and the total sum of moneys held on deposit or invested by it for the use and benefit of its wards.

§ 3. That the form of the affidavit required by the County Judge, County Clerk, Circuit Clerk and Sheriff shall be in words as follows: "The affiant, ....., says that he is a resident of.....County, Kentucky, and that he is the fee-simple owner of the following property situated in .....County, Kentucky: ..... ..... Says that he is reasonably worth not less than $..... over and above all of his debts and exemptions as allowed by law, and that he has property in this state in said amount subject to execution, and that said sum is equal to or in excess of the liability assumed by me as

surety on the bond of ..... this day executed by me. Witness affiant's hand on this the ..... day of ....., 19.....

.....

(Signature of the affiant)

Subscribed and sworn to before me by ..... on this the ..... day of ....., 19.....

.....

(Signature of officer)

§ 4. That all sureties shall give immediate notice to the officer, having accepted them as surety on any bond or bonds executed by them, of any loss or disposal of their property in a sum sufficient to affect the solvency of any bond or bonds executed by them.

§ 5. That any officer, individual or trust company who fails to comply with the provisions of this act shall be fined in a sum of not less than $100.00 and not more than $500.00 and a conviction shall be *prima facie* evidence in favor of recovery by any aggrieved party or parties.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Corbett Brown | D. B. Coughlin |
| Harold L. Barnes | Wallace Brown | Joel T. Crenshaw |
| Robert E. Beatty | Mrs. Cecil Cantrill | Carroll L. Cropper |
| Wm. B. Belknap | Charles Chandler | G. Cunningham |
| Reuben J. Boling | J. A. Coleman | W. J. Curtis |
| Jas. C. Bright | Sidney J. Collins | Harry Davis |

| | | |
|---|---|---|
| R. A. Demunbrun | G. W. Howard | M. D. Phelps |
| S. S. Dickson | Ira W. Hulette | Steve Pieratt |
| Garland Embry | G. C. Johnson | Kleber F. Price |
| Clarence E. Evans | Leo King | Waylon Rayburn |
| Rudy Ferguson | John Kirtley | L. D. Sandlin |
| T. P. Fitzpatrick | Glenn W. Lane | Avery Sartin |
| W. J. Garnett | George R. McIntosh | Mrs. M. B. Scott |
| Ralph Gilbert | Herschel McKinley | Harry Sparks |
| C. Gottschalk | L. B. Meadors | Lyle C. Tackett |
| J. S. Hall | G. Samuel Milam | Starling B. Tracy |
| Frank Harris | Clarence Miller | Robert E. Webb |
| R. M. Harrison, Jr. | H. H. Miller | J. B. Wicker |
| J. Joseph Hettinger | W. H. Miller | |
| Dr. A. L. Hill | Tyler Munford | —58 |

There voted in the negative—

J. S. Mattingly —1

Resolved that the title thereof be as aforesaid.

Mr. Munford moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 538. An Act requiring executors, administrators, curators, trustees, guardians and committees to publish notice of the date of filing of settlements, and in what court, in the newspaper of largest circulation in the county of qualification; and allowing a charge against each estate for publication of the notice; and setting out the form of notice to be used.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

All executors, administrators, curators, trustees, guard-

ians and committees shall, before the filing of their settlements, as now required by law, publish a notice of the date on which each of their said settlements will be filed, and in what court, within two weeks before the filing of each settlement, in the newspaper of largest circulation in the county of their qualification, and a charge of fifty (50c) cents is allowed against each estate for the publication of the notice for each settlement. Said notices in blank to be in words as follows: "Notice.—On .....the undersigned as .....of
(Insert date) (Qualification)
.....will file a settlement in the .....
(Name of ward or estate) (Name of Court)
.....
(Name of Fiduciary)"

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | D. B. Coughlin | W. J. Garnett |
| Robert E. Beatty | Joel T. Crenshaw | Ralph Gilbert |
| B. F. Bedford | G. Cunningham | W. Yancey Handy |
| Wm. B. Belknap | W. J. Curtis | Frank Harris |
| O. J. Bowen | Harry Davis | R. M. Harrison, Jr. |
| Jas. C. Bright | R. A. Demunbrun | J. Joseph Hettinger |
| Wallace Brown | Garland Embry | Dr. A. L. Hill |
| Mrs. Cecil Cantrill | Clarence E. Evans | G. W. Howard |
| J. A. Coleman | Rudy Ferguson | Ira W. Hulette |
| Sidney J. Collins | Kelly J. Francis | G. C. Johnson |

| | | |
|---|---|---|
| T. M. Johnson | C. C. May | Avery Sartin |
| J. H. King | L. B. Meadors | Mrs. M. B. Scott |
| Leo King | G. Samuel Milam | Lafe J. Spencer |
| John Kirtley | H. H. Miller | Lyle C. Tackett |
| Glenn W. Lane | W. H. Miller | Starling B. Tracy |
| Alden L. Love | Tyler Munford | Robert E. Webb |
| Herschel McKinley | Rodes K. Myers | J. B. Wicker |
| C. C. McMasters | Steve Pieratt | —53 |

Resolved that the title thereof be as aforesaid.

Mr. Munford moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 826. An Act entitled An Act to amend and re-enact Section 4019 of Carroll's Kentucky Statutes, Supplement to 1933, relating to distribution of revenue.

With Committee amendments thereto.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. Section 4019 of Carroll's Kentucky Statutes, Supplement to 1933, be amended and re-enacted so that when so amended and re-enacted it shall read as follows:

An annual ad valorem tax for state purposes of thirty (30) cents upon each one hundred dollars ($100.00) of value of all real estate directed to be assessed for taxation, as provided by law and fifty cents upon each one hundred dollars ($100.00) of value of all other property directed to be assessed for taxation, as provided by law, shall be paid by the owner,

person or corporation assessed; except a tax at the rate of one-tenth of one per cent (.1%) shall be paid annually upon the amount of deposits in any bank, trust company, or combined bank and trust company, organized under the laws of this State, or in any national bank of this State, as now provided by law; and also including building and loan associations incorporated under the laws of this State, and making loans to members only, which association shall be assessed except as otherwise provided by law in the manner and at the rate now set forth in Chapter 14 of the Acts of the extraordinary session of General Assembly of 1917 (4019a-6, 4019a-7, and 4019a-8).

Of the aggregate amount of tax realized by all assessments made of and levied upon real estate, plus the aggregate amount of all tax realized by all assessments and franchise, shares of stock, money in hand, notes, bonds, accounts, and other credits, whether secured by mortgage pledge, or otherwise, or unsecured, including the tax on bank deposits and upon shares of building and loan associations.

Sixty-nine per cent (69%) shall be used for the support of the common schools;

Three and five-sixths per cent (3 5/6%) for the use of the sinking fund;

Six and seven-tenths per cent (6 7/10%) thereof, plus fifty per cent (50%) of the inheritance taxes collected, for the support and erection of buildings for the University of Kentucky, at Lexington;

Two and one-third per cent (2 1/3%) thereof, plus twelve and one-half per cent (12½%) of the inheritance taxes, for the support and erection of buildings for the Eastern Kentucky State Normal School and Teachers College at Richmond;

Two and nineteen-thirtieths per cent (2 19/30%) thereof, plus twenty-five per cent (25%) of the inheritance taxes for the support and erection of buildings for the Western Ken-

tucky State Normal School and Teachers College, at Bowling Green;

Two per cent (2%) thereof, plus six and one-fourth per cent (6 1/4%) of the inheritance taxes, for the support and erection of buildings for the Morehead State Normal School and Teachers College, at Morehead;

Two per cent (2%) thereof, plus six and one-fourth per cent (6 1/4% of the inheritance taxes, for the support and erection of buildings for the Murray State Normal School and Teachers College at Murray;

Eleven and one-half per cent (11 1/2%) for use of the general fund.

All funds realized from automobile licenses, gasoline taxes and motor bus licenses now collected by law, or that may hereafter be imposed or collected by law for the construction, reconstruction, maintenance and repair of roads and highways; and

The aggregate amount of all other state revenue realized from every other source not mentioned nor distributed above, shall be credited to the general fund for the use of the ordinary expense of the government.

And the Auditor of Public Accounts will make distribution of said tax in accordance with the said apportionment at the end of each month.

The tax herein provided for the University of Kentucky and the Normal Schools shall be paid monthly, when and as collected, to the treasurers of these institutions in the amount set forth in this section, and shall be used by the University of Kentucky and the Normal schools for their maintenance and support, and when sufficient sums shall have accumulated in the treasuries thereof, it may be used for the erection of buildings and the purchase of land and equipment.

Said Committee amendments are as follows, viz.:

Amendment No. 1. Amend H. B. 826 by striking each

paragraph, sentence, phrase and word after the enactment clause and placing in lieu thereof the following paragraphs, sentences and words:

"The aggregate amount of State tax realized by all assessments made of and levied upon real estate, all assessments of franchise, shares of stock, money in hands, notes, bonds, accounts and other credits, whether secured by pledge, mortgage or otherwise, or unsecured, and the tax on bank deposits and upon shares of building and loan associations, and all funds realized from the collection of inheritance tax levied in Kentucky and the aggregate amount of all other State revenue realized from every other source whatsoever, excepting operating receipts and/or revolving fund accounts as defined in an act entitled 'A financial Code of 1934', and further excepting the gasoline tax, automobile license, motor bus license, truck license and drivers', shall be credited to the General Fund for the use of the expenses of government.

All funds realized from automobile license, motor bus license and gasoline tax, now collected by law or that may hereafter be imposed by law shall be credited to the Road Fund for the construction, reconstruction, maintenance and repair of roads and Highways.

All funds derived from truck license and fees shall be distributed as provided in Section 2739g-2, Subsection d, Carroll's 1930 Edition, Kentucky Statutes, and all funds that may be derived from a drivers' license shall be distributed in the manner set forth in the act imposing such license.

All funds realized from operating receipts and/or revolving funds shall be credited as provided in the Act entitled 'A Financial Code of 1934.'

All Acts or parts of Acts in conflict herewith, to the extent of such conflict, are hereby repealed."

Amendment No. 2. Amend title to H. B. 826 by striking each sentence, phrase and word and placing in lieu thereof the following sentences, phrases and words:

"An Act providing that funds realized from certain taxes and other revenue sources shall be credited to the General Fund for the expenses of government and further providing for the crediting of certain taxes to the Road Fund, and excepting certain other funds to be credited as now or which may hereafter be provided by law."

Amendment No. 1 as offered by the Committee was then agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | G. Cunningham | Dr. A. L. Hill |
| Carroll D. Asbury | W. J. Curtis | G. W. Howard |
| Harold L. Barnes | R. A. Demunbrun | Ira W. Hulette |
| Robert E. Beatty | Garland Embry | G. C. Johnsen |
| B. F. Bedford | Clarence E. Evans | T. M. Johnson |
| Reuben J. Boling | Rudy Ferguson | F. P. Kessee |
| O. J. Bowen | T. P. Fitzpatrick | Leo King |
| Jas. C. Bright | Kelly J. Francis | John Kirtley |
| Corbett Brown | Ralph Gilbert | Glenn W. Lane |
| Wallace Brown | C. Gottschalk | Alden L. Love |
| Mrs. Cecil Cantrill | J. S. Hall | C. C. McMasters |
| J. A. Coleman | W. Yancey Handy | C. C. May |
| Sidney J. Collins | Frank Harris | G. Samuel Milam |
| Joel T. Crenshaw | R. M. Harrison, Jr. | Clarence Miller |
| Carroll L. Cropper | J. Joseph Hettinger | H. H. Miller |

| | | |
|---|---|---|
| W. H. Miller | Waylon Rayburn | Starling B. Tracy |
| Tyler Munford | L. D. Sandlin | Henry T. Ward |
| Rodes K. Myers | Avery Sartin | Robert E. Webb |
| Robert A. Persky | Mrs. M. B. Scott | J. B. Wicker |
| M. D. Phelps | Harry Sparks | |
| Steve Pieratt | Lyle C. Tackett | —61 |

Those who voted in the negative were—

| | | |
|---|---|---|
| D. B. Coughlin | Harry Davis | Herschel McKinley |

—3

The amendment to the title of said bill as offered by the Committee was then agreed to.

Resolved that the title thereof be as amended.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 727. An Act relating to the regulation of road houses, eating and drinking stands, and other places of public entertainment lying outside of the limits of incorporated towns and cities.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That no road house, eating place, drinking place, or place of public entertainment at which people assemble to eat, drink, sing, dance, bathe, or engage in any game of entertainment for either profit or amusement, or any tourist

camp, shall be permitted to operate in the Commonwealth of Kentucky outside of the corporate limits of any incorporated city or town unless its owner or proprietor shall have first made application to the County Court in which it is located for a permit to operate and shall have procured from the Court such a permit, and the application shall be addressed to the Court and it shall state the location of the business, and the name of the owner and proprietor and the nature of the business, and any permit granted by the Court shall be by an order duly entered of record in the order book of the Court, and it shall not extend beyond the first day of the following January. The order shall specifically state such facts as are required in the application, and it shall provide for proper hours of operation by a provision which shall be uniform for places of business of like nature throughout the County, and the Court may at any time following its granting such permit revoke same. Before revoking the permit the County Attorney or the Court shall cause the hearing for the revocation of the permit to be placed on the docket of the County Court in the name of the Commonwealth of Kentucky against the name of the owner and proprietor stated in the permit, and the County Attorney shall give the owner or proprietor named in the permit five days' notice in writing of the time, place and purpose of the hearing, provided the notice may be executed by posting a copy of same on either the front door or at a conspicuous place on the premises in the event it shall appear by the return of the officer serving the notice that he visited the premises and failed to find at the premises the owner or proprietor named in the permit, and upon the trial of the cause, which shall be before the Court without the intervention of a jury, such orders as appear to the Court as right and proper shall be entered.

No application for a permit shall be considered unless the same shall be accompanied by a fee of $5.00, and that portion of the fee over and above the amount required to

pay the usual fees of the County Court Clerk for entering the order of permit shall be paid into the County Treasury as revenue of the County, but no fees shall be collected in the event the permit shall not be granted.

§ 2. No person shall be granted a permit who is not of good moral character or who will not in the judgment of the Court obey the laws of the Commonwealth of Kentucky in the carrying on of the business, and any one or more of the following reasons shall be sufficient grounds for revoking the permit:

(1) To suffer or permit drunken, disorderly or boisterous persons to congregate in, near or about the premises or to permit them to use in or about the premises intoxicating liquors;

(2) To suffer or permit people to congregate there and to occupy any hidden or secreted room or place from which the view of the public is obstructed;

(3) To suffer or permit the premises to be occupied or used as a place of assemblage or entertainment at later hours than those stated in the permit.

§ 3. It shall be a misdemeanor for any owner or proprietor coming within the purview of this act to suffer or permit his premises to be used in the manner set out under either (1), (2), or (3), of the preceding section, and the penalty on a conviction for such violation shall be a fine of not exceeding $200.00 or imprisonment in the County Jail not exceeding 90 days or both fine and imprisonment in the discretion of the Court or Jury trying the case, and in the event of a conviction the judgment shall include a revocation of the permit, and the Quarterly Court and Circuit Court shall have concurrent jurisdiction to try the charge.

§ 4. It shall be the duty of all peace officers and County Patrolmen to visit regularly such premises, and on their observing any violation of this act by the owner or proprietor or manager or employee, they shall make arrests without

warrants for violations committed within their presence, and they shall then and there search the entire premises for law violations, and on any reasonable evidence that persons are on the premises out of the view of the public, they shall then and there search any hidden or secret part of the premises for such an unlawful assemblage.

§ 5. Nothing in this act shall apply to any private home nor to the entertainment of the *bona fide* guests in a private home, and the provisions of this act shall not apply to any County whose population is 75,000 or more.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | G. Cunningham | J. Joseph Hettinger |
| Carroll D. Asbury | Harry Davis | Dr. A. L. Hill |
| Robert E. Beatty | R. A. Demunbrun | G. W. Howard |
| B. F. Bedford | Garland Embry | Ira W. Hulette |
| O. J. Bowen | Clarence E. Evans | G. C. Johnson |
| Jas. C. Bright | Rudy Ferguson | T. M. Johnson |
| Corbett Brown | T. P. Fitzpatrick | J. H. King |
| Wallace Brown | J. B. Floyd | Leo King |
| Mrs. Cecil Cantrill | Kelly J. Francis | John Kirtley |
| Charles Chandler | W. J. Garnett | W. L. Knuckles, Jr. |
| J. A. Coleman | C. Gottschalk | Glenn W. Lane |
| Sidney J. Collins | J. S. Hall | Herschel McKinley |
| D. B. Coughlin | W. Yancey Handy | C. C. McMasters |
| Joel T. Crenshaw | Frank Harris | C. C. May |
| Carroll L. Cropper | R. M. Harrison, Jr. | J. S. Mattingly |

| | | |
|---|---|---|
| L. B. Meadors | James I. Peters | Mrs. M. B. Scott |
| G. Samuel Milam | M. D. Phelps | Starling B. Tracy |
| Clarence Miller | Steve Pieratt | Henry T. Ward |
| H. H. Miller | Waylon Rayburn | Robert E. Webb |
| Tyler Munford | L. D. Sandlin | J. B. Wicker |
| Rodes K. Myers | Avery Sartin | B. M. Williams |

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Resolved that the title thereof be as aforesaid.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 443. An Act to amend and re-enact Section 415b-6 of Baldwin's 1932 Supplement to Carroll's Kentucky Statutes, same being Chapter 40 of the acts of the General Assembly of 1932, being "an act to repeal and re-enact Section 6 of 'an act to repeal and re-enact an act entitled: "an act granting pensions to indigent and disabled Confederate soldiers and their widows" which became a law February 28, 1928', and which act repealing and re-enacting it was Chapt' 150, acts of 1928, page 521, and said Section 6 of the 1928 re-enacted act is now Section 415b-6 of the present 1930 edition of Carroll's Kentucky Statutes."

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That Section 415b-6 of Baldwin's 1932 Supplement to Carroll's Kentucky Statutes, same being chapter 40 of the acts of the General Assembly of 1932, be amended and re-

enacted so that when so amended and re-enacted will read as follows: That any Confederate veteran who has been an actual *bona fide* resident of this State continuously since January 1, 1907, and who did actual military service in the Confederate Army from the date of his enlistment till the close of the war or until he was honorably discharged as an officer or private soldier or sailor in the military and naval service of the Confederate States of America in the war of 1861-65, or the widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1910, and who was living with him as his lawful wife at the time of his death and who has not re-married again since the death of her veteran husband, but if re-married, again becomes a widow by the death of or divorce from her husband, shall be paid out of the state treasury the sum of twenty dollars per month upon proof of the fact according to forms and regulations prescribed by this act and conditions therein; provided, that any officer or private soldier or sailor who was prevented from so serving until he was honorably discharged by reason of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this act as though he had served until the close of the war or until honorably discharged and provided, further, that any officer or private soldier or sailor who deserted or was dishonorably discharged, shall not be entitled to the benefits of this act unless he be re-enlisted or returned to the service in the Confederate army and served until the close of the war or until he was honorably discharged or was prevented from so serving by wounds received or disease contracted in line of duty which rendered him unable to perform further military service.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

Mr. Webb offered the following amendments to said bill, viz.:

1. Amend H. B. 443 by striking from the printed copy of the bill on page 2, Section 1, beginning with the word "but" on line 13, each and every word through and including the word "until" on line 19, and substituting in lieu thereof the following "shall be paid out of the state treasury the sum of thirty dollars per month upon proof of the fact according to forms and regulations prescribed by this act and conditions therein; provided, that any officer or private soldier or sailor who was prevented from so serving until the close of the war or until".

2. Amend H. B. 443 by striking from the printed copy of the bill on page 1, Section 1, lines 2 and 3, the following: "Chapter 40 of the Acts of the General Assembly of 1932 be" and insert in lieu thereof the following "Section 1 of Chapter 42 of the Acts of the General Assembly of 1932 as repealed."

Said amendments were each agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Wm. B. Belknap | Wallace Brown |
| Carroll D. Asbury | Reuben J. Boling | Hugh K. Bullitt |
| Harold L. Barnes | O. J. Bowen | Mrs. Cecil Cantrill |
| Robert E. Beatty | Jas. C. Bright | Charles Chandler |
| B. F. Bedford | Corbett Brown | J. A. Coleman |

| | | |
|---|---|---|
| Sidney J. Collins | Ira W. Hulette | Tyler Munford |
| Joel T. Crenshaw | G. C. Johnson | Rodes K. Myers |
| Carroll L. Cropper | T. M. Johnson | Steve Pieratt |
| G. Cunningham | Leo King | Waylon Rayburn |
| W. J. Curtis | John Kirtley | L. D. Sandlin |
| R. A. Demunbrun | M. T. McCarthy | Avery Sartin |
| Garland Embry | Herschel McKinley | Mrs. M. B. Scott |
| Clarence E. Evans | C. C. McMasters | Lafe J. Spencer |
| Kelly J. Francis | Roy McWaters | Lyle C. Tackett |
| W. J. Garnett | C. C. May | J. Sterling Towles |
| C. Gottschalk | L. B. Meadors | Starling B. Tracy |
| W. Yancey Handy | G. Samuel Milam | Henry T. Ward |
| J. Joseph Hettinger | Clarence Miller | Robert E. Webb |
| Dr. A. L. Hill | H. H. Miller | J. B. Wicker |
| G. W. Howard | W. H. Miller | B. M. Williams |

—59

There voted in the negative—

Ralph Gilbert —1

Mr. Webb offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 443 by striking from the printed copy of the bill each and every word of the title beginning with the words "An Act" each and every word through and including the words "Statutes" and substituting in lieu thereof the following: "An Act to repeal, amend and re-enact Section 415b-6 of Baldwin's 1932 Supplement to Carroll's Kentucky Statutes, same being Section 1 of Chapter 42 of the Acts of the General Assembly of 1932, relating to pensions for Confederate Soldiers and their widows."

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Webb moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 875. An Act providing that the Commissioner of Agriculture, Labor and Statistics, and the Kentucky State Board of Agriculture, shall have exclusive supervision and control over the Kentucky State Fair and the Kentucky State Fair Grounds; and providing for the promulgation of rules and regulations of the Kentucky State Fair.

With a Committee amendment thereto.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. In addition to the power, duties and authority now vested in the Commissioner of Agriculture, Labor and Statistics and the Kentucky State Board of Agriculture over the Kentucky State Fair, its grounds, sites, property, buildings and concessions, which are or may be a part of or incident to the operation of the Kentucky State Fair Grounds, the Commissioner of Agriculture, Labor and Statistics shall be the chief peace officer and in charge of said Kentucky State Fair and the Kentucky State Fair Grounds, and shall have the power of sheriffs and constables and all peace officers who may be upon said grounds shall be under his control and supervision and shall execute their duties subject to his approval and control.

§ 2. The Commissioner of Agriculture, Labor and Statistics and the Kentucky State Board of Agriculture shall have exclusive control of concessions, exhibitions, shows, entertainments and attractions, both on and off the mid-way

and any place within the confines of the grounds of the Kentucky State Fair.

§ 3. The Kentucky State Fair shall have a prior lien upon the property of any concessionaire, exhibitor or person immediately upon coming or being brought on the grounds to secure existing indebtedness as well as that which might afterwards arise, with power in the Commissioner of Agriculture to sell the same and apply the proceeds of sale to the satisfaction of the indebtedness upon the giving of ten days' notice to the owner or agent of the owner, and in the event this cannot be done then by posting a notice in the office of the Secretary of the Kentucky State Fair on the grounds or such other place as the Secretary's office may be located, that the sale of said property is to be made; and the Commissioner of Agriculture shall have the right to bid and buy in the property offered for sale for the use and benefit of the Kentucky State Fair.

§ 4. The Commissioner of Agriculture shall have the right to delegate the powers hereby granted to the Secretary of the Kentucky State Fair; and during the absence of the Commissioner from the grounds, the said Secretary shall have full power and right to act; and the Commissioner of Agriculture shall have full power and right to promulgate and issue such rules and regulations for the maintenance and operations of the Kentucky State Fair as shall in his judgment be deemed to be in the best interest of the Kentucky State Fair.

The amendment as offered by the Committee is as follows, viz.:

Amend the title to H. B. 875 by striking all of said title and substituting in lieu thereof the following:

An Act providing that the Commissioner of Agriculture, Labor and Statistics and the Kentucky Board of Agriculture

shall have exclusive jurisdiction, supervision and control of the Kentucky State Fair and its grounds; providing that the Commissioner of Agriculture, Labor and Statistics shall have the power of sheriffs and constables and that all peace officers on said grounds shall perform their duties under his control and supervision; providing that the Kentucky State Fair shall have a prior lien upon the property of any concessionaire or exhibitor for any indebtedness due the Kentucky State Fair; and providing for the promulgation of rules and regulations for the operation of said Fair.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Joel T. Crenshaw | J. Joseph Hettinger |
| Carroll D. Asbury | Carroll L. Cropper | Dr. A. L. Hill |
| Harold L. Barnes | G. Cunningham | G. W. Howard |
| Robert E. Beatty | Harry Davis | Ira W. Hulette |
| B. F. Bedford | R. A. Demunbrun | G. C. Johnson |
| Wm. B. Belknap | Garland Embry | J. H. King |
| O. J. Bowen | Clarence E. Evans | Leo King |
| Jas. C. Bright | Rudy Ferguson | John Kirtley |
| Corbett Brown | T. P. Fitzpatrick | W. L. Knuckles, Jr. |
| Wallace Brown | J. B. Floyd | Glenn W. Lane |
| Hugh K. Bullitt | Kelly J. Francis | C. C. McMasters |
| Mrs. Cecil Cantrill | C. Gottschalk | C. C. May |
| Charles Chandler | J. S. Hall | J. S. Mattingly |
| J. A. Coleman | W. Yancey Handy | L. B. Meadors |
| Sidney J. Collins | Frank Harris | G. Samuel Milam |
| D. B. Coughlin | R. M. Harrison, Jr. | Clarence Miller |

| | | |
|---|---|---|
| H. H. Miller | Waylon Rayburn | Henry T. Ward |
| W. H. Miller | L. D. Sandlin | Robert E. Webb |
| Tyler Munford | Avery Sartin | J. B. Wicker |
| James I. Peters | Mrs. M. B. Scott | B. M. Williams |
| M. D. Phelps | Lyle C. Tackett | |
| Steve Pieratt | Starling B. Tracy | —74 |

Those who voted in the negative were—

Herschel McKinley John W. Taylor —2

The amendment to the title of said bill, as proposed by the Committee, was then agreed to.

Resolved that the title thereof be as amended.

Mr. Ferguson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 164. An Act making it unlawful to permit livestock to run on a state or national highway.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That it shall be unlawful for the owner of any livestock to permit same to run at large on or near any state or national highway in the Commonwealth of Kentucky. It shall be the duty of the sheriff or constable, or any other person authorized to make arrests, to take up stock found running at large on or near a state or federal highway. Such arrest-

ing officer shall be allowed a one-dollar fee for taking up such livestock and, in addition thereto, the cost of taking care of same. The owner of such stock shall be guilty of a misdemeanor and upon conviction shall be fined not less than two dollars nor more than ten dollars for each offense.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Robert E. Beatty | J. B. Floyd | L. B. Meadors |
| B. F. Bedford | Kelly J. Francis | G. Samuel Milam |
| O. J. Bowen | W. J. Garnett | Clarence Miller |
| Jas. C. Bright | Ferd A. Gnau | W. H. Miller |
| Corbett Brown | J. S. Hall | James B. Milliken |
| Wallace Brown | W. Yancey Handy | Tyler Munford |
| Frank C. Bruton | Frank Harris | M. D. Phelps |
| Hugh K. Bullitt | J. Joseph Hettinger | Steve Pieratt |
| Mrs. Cecil Cantrill | Dr. A. L. Hill | Waylon Rayburn |
| Charles Chandler | G. W. Howard | L. D. Sandlin |
| J. A. Coleman | Ira W. Hulette | Mrs. M. B. Scott |
| Sidney J. Collins | T. M. Johnson | Lyle C. Tackett |
| D. B. Coughlin | F. P. Kessee | Starling B. Tracy |
| Joel T. Crenshaw | Leo King | Henry T. Ward |
| G. Cunningham | John Kirtley | Robert E. Webb |
| W. J. Curtis | Herschel McKinley | J. B. Wicker |
| Garland Embry | C. C. McMasters | |
| Rudy Ferguson | C. C. May | —51 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Henry H. Allen | Harry Davis | J. S. Mattingly |
| Carroll D. Asbury | C. Gottschalk | Avery Sartin |
| Reuben J. Boling | G. C. Johnson | |
| Carroll L. Cropper | Alden L. Love | —10 |

Resolved that the title thereof be as aforesaid.

Mr. Wicker moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 604. An Act relating to motor vehicles.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. No motor vehicle, wagon or any other vehicle shall be permitted to pass a school bus on the highway when it has stopped for the purpose of taking on or discharging pupils.

§ 2. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than $1.00 nor more than $10.00.

§ 3. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Garland Embry | C. C. McMasters |
| Carroll D. Asbury | Clarence E. Evans | C. C. May |
| Harold L. Barnes | Kelly J. Francis | L. B. Meadors |
| Robert E. Beatty | W. J. Garnett | H. H. Miller |
| B. F. Bedford | C. Gottschalk | W. H. Miller |
| Reuben J. Boling | J. S. Hall | James B. Milliken |
| O. J. Bowen | W. Yancey Handy | Tyler Munford |
| Jas. C. Bright | Frank Harris | James I. Peters |
| Corbett Brown | R. M. Harrison, Jr. | M. D. Phelps |
| Wallace Brown | J. Joseph Hettinger | Steve Pieratt |
| Hugh K. Bullitt | Dr. A. L. Hill | Waylon Rayburn |
| Mrs. Cecil Cantrill | Ira W. Hulette | L. D. Sandlin |
| J. A. Coleman | G. C. Johnson | Avery Sartin |
| D. B. Coughlin | T. M. Johnson | Mrs. M. B. Scott |
| Joel T. Crenshaw | J. H. King | Lyle C. Tackett |
| Carroll L. Cropper | Leo King | Starling B. Tracy |
| W. J. Curtis | W. L. Knuckles, Jr. | Henry T. Ward |
| Harry Davis | Glenn W. Lane | Robt. E. Webb |
| R. A. Demunbrun | Alden L. Love | J. B. Wicker |
| S. S. Dickson | Herschel McKinley | —59 |

There voted in the negative—

J. B. Floyd . —1

Resolved that the title thereof be as aforesaid.

Mr. Bedford moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 605. An Act relating to the operation of school busses.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. Drivers of school busses shall require pupils to enter and leave the bus at the front door, see that their clothing does not catch in the door, and see that every possible care is exerted for their safety.

§ 2. Operators of school busses shall require that the rear door of said school bus is in good working order at all times so that it may be opened easily in case of emergency, and said rear door shall be used as an exit in cases of emergencies only.

§ 3. Boards of Education, operating school busses, shall be required to place in the hands of their drivers a complete summary or digest of all the important traffic regulations as pertaining to public highways, and see that the instructions are given to the drivers from time to time, and require the drivers to observe these regulations.

§ 4. Any operator of a school bus found guilty of violating this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than $1.00 nor more than $10.00.

§ 5. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | J. B. Floyd | Herschel McKinley |
| Carroll D. Asbury | Kelly J. Francis | C. C. McMasters |
| Harold L. Barnes | W. J. Garnett | C. C. May |
| B. F. Bedford | C. Gottschalk | L. B. Meadors |
| Reuben J. Boling | J. S. Hall | G. Samuel Milam |
| O. J. Bowen | W. Yancey Handy | Clarence Miller |
| Corbett Brown | R. M. Harrison, Jr. | H. H. Miller |
| Wallace Brown | J. Joseph Hettinger | W. H. Miller |
| Hugh K. Bullitt | Dr. A. L. Hill | Tyler Munford |
| Charles Chandler | G. W. Howard | Rodes K. Myers |
| J. A. Coleman | Ira W. Hulette | James I. Peters |
| D. B. Coughlin | G. C. Johnson | Steve Pieratt |
| Joel T. Crenshaw | T. M. Johnson | L. D. Sandlin |
| Carroll L. Cropper | J. H. King | Mrs. M. B. Scott |
| W. J. Curtis | John Kirtley | Lyle C. Tackett |
| S. S. Dickson | Glenn W. Lane | Starling B. Tracy |
| Garland Embry | Alden L. Love | Henry T. Ward |

—51

There voted in the negative—

Robert E. Webb —1

Resolved that the title thereof be as aforesaid.

Mr. Bedford moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 688. An Act fixing the number of land owners required as signers on petitions to establish drainage districts for the drainage of farm lands.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That no drainage district for the drainage of farming lands shall be established by any order or judgment of any of the courts of this State, whereby any lands affected thereby may be assessed for the cost of the drainage so proposed or for the surveys or other expenses incident thereto, unless a petition, signed by at least sixty per cent of the owners of all of the land within such proposed drainage district and requesting that such drainage work be done, shall have first been filed in the court wherein any such drainage district is sought to be established. Such petition must also state the maximum amount of money that the signers thereof are willing to have assessed against each acre of land in such proposed district for the cost of such work and all expenses incident thereto; and no greater sum per acre shall be charged against any of the land in such district on account of the cost of such drainage and all expenses incident thereto, than such maximum sum so fixed in said petition. This act shall not affect the necessity for notice being given to all land owners within said district who are not signers of such petition, in the manner now provided by law.

All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H Allen | Garland Embry | C. C. May |
| Harold L. Barnes | J. B. Floyd | J. S. Mattingly |
| Robert E. Beatty | Kelly J. Francis | G. Samuel Milam |
| B. F. Bedford | C. Gottschalk | H. H. Miller |
| O. J. Bowen | J. S. Hall | Tyler Munford |
| Jas. C. Bright | W. Yancey Handy | James I. Peters |
| Corbett Brown | Frank Harris | Steve Pieratt |
| Wallace Brown | R. M. Harrison, Jr. | Waylon Rayburn |
| Hugh K. Bullitt | J. Joseph Hettinger | L. D. Sandlin |
| Charles Chandler | Dr. A. L. Hill | Avery Sartin |
| J. A. Coleman | G. W. Howard | Mrs. M. B. Scott |
| Sidney J. Collins | Ira W. Hulette | Lyle C. Tackett |
| D. B. Coughlin | T. M. Johnson | Starling B. Tracy |
| Joel T. Crenshaw | J. H. King | Henry T. Ward |
| Carroll L. Cropper | Leo King | Robert E. Webb |
| G. Cunningham | W. L. Knuckles, Jr. | J. B. Wicker |
| W. J. Curtis | Glenn W. Lane | B. M. Williams |
| R. A. Demunbrun | Alden L. Love | |
| S. S. Dickson | Herschel McKinley | —55 |

Resolved that the title thereof be as aforesaid.

Mr. Ward moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 646. An Act amending and re-enacting Section 3662a-1, 3662a-2, and 3662a-3 of Baldwin's Kentucky

Statutes, relating to dissolution of charters of towns of the sixth class.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3662a-1: A majority of the voters residing in an incorporated town of the sixth class may file a petition with the county judge asking that its charter be dissolved or annulled.

3662a-2: Whenever a petition signed by a majortiy of the persons entitled to vote living within the boundary of the proposed town is filed in the County Clerk's office in which a greater part of the town is located not less than twenty days before the commencement of the next regular term of said court the petitioners shall cause notice of the filing of such petition and the object thereof to be published in two issues of some newspaper of general circulation published in the county; or, if none, by notices posted up for at least ten days before the commencement of the term. One at the court house door and the others at public places within the boundary of the proposed town. The petition shall set out the metes and bounds of the town and the number of voters and inhabitants resident within the boundary thereof, and such other facts as may be thought proper.

3662a-3: At the first regular term of the county court after such petition has been filed for 20 days and notice of same published as provided in Section 3662a-2, the judge of the county court shall order an election to be held in said town by the regular election officers for that year at a time to be fixed by said court not less than sixty days thereafter.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Garland Embry | G. Samuel Milam |
| Carroll D. Asbury | J. B. Floyd | Clarence Miller |
| Harold L. Barnes | Kelly J. Francis | H. H. Miller |
| B. F. Bedford | C. Gottschalk | W. H. Miller |
| Reuben J. Boling | W. Yancey Handy | Tyler Munford |
| Corbett Brown | Frank Harris | M. D. Phelps |
| Wallace Brown | R. M. Harrison, Jr. | Steve Pieratt |
| Hugh K. Bullitt | J. Joseph Hettinger | Waylon Rayburn |
| Mrs. Cecil Cantrill | Dr. A. L. Hill | L. D. Sandlin |
| Charles Chandler | G. W. Howard | Avery Sartin |
| J. A. Coleman | Ira W. Hulette | Mrs. M. B. Scott |
| Sidney J. Collins | T. M. Johnson | Lyle C. Tackett |
| D. B. Coughlin | J. H. King | Starling B. Tracy |
| Joel T. Crenshaw | Leo King | Henry T. Ward |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Robert E. Webb |
| G. Cunningham | Glenn W. Lane | J. B. Wicker |
| W. J. Curtis | Alden L. Love | B. M. Williams |
| R. A. Demunbrun | C. C. McMasters | |
| S. S. Dickson | C. C. May | —55 |

Resolved that the title thereof be as aforesaid.

Mr. McMasters moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 537. An Act governing the investment of funds of estates by guardians and committees.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

Every guardian and committee shall invest the funds of a ward's estate in such manner or in such securities, in which the guardian or committee has no interest, as allowed by law or approved by the court or in annuities.

All laws or parts of laws in conflict herewith are hereby repealed.

Whereas, any delay in the privilege of so investing the funds of a ward may result in a loss of the principal income to such ward, an emergency is hereby declared to exist, and this Act shall take effect upon its passage and approval by the Governor.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Charles Chandler | Clarence E. Evans |
| Carroll D. Asbury | J. A. Coleman | J. B. Floyd |
| Harold L. Barnes | Sidney J. Collins | Kelly J. Francis |
| Robert E. Beatty | D. B. Coughlin | C. Gottschalk |
| B. F. Bedford | Joel T. Crenshaw | W. Yancey Handy |
| O. J. Bowen | Carroll L. Cropper | R. M. Harrison, Jr. |
| Jas. C. Bright | G. Cunningham | J. Joseph Hettinger |
| Wallace Brown | W. J. Curtis | Dr. A. L. Hill |
| Hugh K. Bullitt | R. A. Demunbrun | G. W. Howard |
| Mrs. Cecil Cantrill | Garland Embry | Ira W. Hulette |

| | | |
|---|---|---|
| G. C. Johnson | Clarence Miller | Avery Sartin |
| T. M. Johnson | H. H. Miller | Mrs. M. B. Scott |
| Leo King | W. H. Miller | Lyle C. Tackett |
| John Kirtley | Tyler Munford | Starling B. Tracy |
| Glenn W. Lane | Rodes K. Myers | Henry T. Ward |
| Alden L. Love | M. D. Phelps | Robert E. Webb |
| C. C. May | Steve Pieratt | B. M. Williams |
| J. S. Mattingly | Waylon Rayburn | |
| G. Samuel Milam | L. D. Sandlin | —55 |

Resolved that the title thereof be as aforesaid.

Mr. Munford moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 621. An Act providing for the extension for teachers' certificate in the Commonwealth of Kentucky; the basic credits upon which such credit certificates shall be extended; the length of time and by whom extended; and providing for the payment of fee in connection with the extension of same.

Said bill is as follows, viz.:

*Be it enacted by the Geneарl Assembly of the Commonwealth of Kentucky*:

That certificates issued to any teacher by any credits from colleges recognized by the State Department of Education, which certificate expires in the year 1934 and which is renewable by the additional college work of 16 hours or more, shall be extended one year beyond its expiration; and such extention shall be made or issued by the department of

certification of the State Department of Education upon application from the teacher, together with a signed statement from the superintendent of the county or city in which said teacher making such application taught, certifying that said teacher had taught either in the school year 1932-33 or the school year 1933-34; provided, however, such application shall be accompanied by a fee of $2.00 for the necessary expenses in connection with the extension of said certificate.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | W. J. Curtis | Alden L. Love |
| Carroll D. Asbury | Garland Embry | Herschel McKinley |
| Levi Baker | Clarence E. Evans | C. C. McMasters |
| Harold L. Barnes | T. P. Fitzpatrick | C. C. May |
| B. F. Bedford | Kelly J. Francis | J. S. Mattingly |
| Reuben J. Boling | C. Gottschalk | L. B. Meadors |
| Jas. C. Bright | J. S. Hall | G. Samuel Milam |
| Corbett Brown | Judson Harmon | H. H. Miller |
| Wallace Brown | Frank Harris | W. H. Miller |
| Frank C. Bruton | J. Joseph Hettinger | James B. Milliken |
| Hugh K. Bullitt | Dr. A. L. Hill | Tyler Munford |
| Charles Chandler | Ira W. Hulette | Richard H. Nufer |
| J. A. Coleman | G. C. Johnson | James I. Peters |
| Sidney J. Collins | J. H. King | M. D. Phelps |
| D. B. Coughlin | Leo King | Steve Pieratt |
| Joel T. Crenshaw | John Kirtley | L. D. Sandlin |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Avery Sartin |

| | | |
|---|---|---|
| Mrs. M. B. Scott | Starling B. Tracy | J. B. Wicker |
| Lyle C. Tackett | Henry T. Ward | B. M. Williams |

—57

Those who voted in the negative were—

| | | |
|---|---|---|
| Robert E. Beatty | J. B. Floyd | Waylon Rayburn |
| Mrs. Cecil Cantrill | T. M. Johnson | Robert E. Webb |

—6

Resolved that the title thereof be as aforesaid.

Mr. Boling moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 645. An Act to repeal, amend and re-enact Section 5 of Chapter 129 of the Acts of the 1932 General Assembly and Chapter 148 of the Acts of the 1932 General Assembly, being Section 4148, Carroll's Kentucky Statutes.

With a Committee amendment thereto.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That Section 5 of Chapter 129 of the Acts of the 1932 General Assembly and Chapter 148 of the Acts of the 1932 General Assembly, being Section 4148, Carroll's Kentucky Statutes, Baldwin's Revision, 1933 Supplement, be repealed, amended and re-enacted, so that when re-enacted same shall read as follows:

All state, county and district taxes, except as otherwise specially provided, shall be due and payable on and after the first day of March after the assessment, and all taxpayers

whose taxes are not paid on or before the last day of February after the same are due, shall be deemed delinquent, and such taxes shall bear interest at the rate of six per cent (6%) per annum from the last day of February after they are due until paid, and any person or persons failing to pay their taxes on or by the last day of February after they are due, shall pay a penalty of six per centum (6%) additional on the taxes due and unpaid. Providing any taxpayer who pays his or her or its state, county or district taxes on or before December 31st, after same becomes due in any year shall be entitled to 3% discount thereon, and the collector, in case of all such payments will allow such reduction and give a receipt in full to the taxpayer. The sheriff or collector whose duty it is to receive or collect the taxes shall collect the interest and penalty and account for the same in the same way in which they are required to collect and account for the taxes.

Said amendment as offered by the Committee is as follows, viz.:

Amend H. B. 645 by striking from line 17 of the printed bill the figures "3%" and placing in lieu thereof the figures "2%".

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen Carroll D. Asbury Levi Baker

| | | |
|---|---|---|
| Harold L. Barnes | Garland Embry | C. C. McMasters |
| Robert E. Beatty | T. P. Fitzpatrick | C. C. May |
| Reuben J. Boling | J. B. Floyd | J. S. Mattingly |
| O. J. Bowen | C. Gottschalk | L. B. Meadors |
| Jas. C. Bright | J. S. Hall | G. Samuel Milam |
| Corbett Brown | Frank Harris | Clarence Miller |
| Wallace Brown | J. Joseph Hettinger | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | James B. Milliken |
| Hugh K. Bullitt | Ira W. Hulette | Tyler Munford |
| Mrs. Cecil Cantrill | G. C. Johnson | M. D. Phelps |
| Charles Chandler | T. M. Johnson | Steve Pieratt |
| J. A. Coleman | F. P. Kessee | L. D. Sandlin |
| Sidney J. Collins | J. H. King | Avery Sartin |
| Carroll L. Cropper | Leo King | Mrs. M. B. Scott |
| G. Cunningham | John Kirtley | Starling B. Tracy |
| W. J. Curtis | W. L. Knuckles, Jr. | Henry T. Ward |
| R. A. Demunbrun | Glenn W. Lane | Robert E. Webb |
| S. S. Dickson | Alden L. Love | J. B. Wicker |
| George Dunlap | Herschel McKinley | B. M. Williams |

—60

Resolved that the title thereof be as aforesaid.

Mr. Bruton moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 203. An Act to amend and re-enact section 2438c-8 of Baldwin's 1932 supplement to Carroll's Kentucky Statutes, same being section one of Chapter 63 of the acts of the General Assembly of 1930, and relating to establishing in the county seat of each county a county law library providing for its location, designation, what it shall consist of, authorizing counties to acquire property for said library, estab-

lishing the circuit court clerk as *ex officio* librarian of said library, and providing his duties as librarian; providing for an inventory to be taken by the clerk and reported to the state librarian fixing a penalty if said clerk is delinquent with said report.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That Section 2438c-8 of Baldwin's 1932 Supplement to Carroll's Kentucky Statutes, same being section one of Chapter 63 of the acts of the General Assembly of 1930 be, and the same is amended by striking from the third paragraph, as it appears in said section, the words "shall receive a salary of twenty ($20.00) dollars per month to be paid by the county for his services as such," so that said section as amended and re-enacted will read as follows: There shall be established in the county seat of each county a county law library, and the fiscal court of each county shall designate sufficient room in the court house or in a building of good construction adjacent to the court house where such library shall be located and wherein the books of such library may be safely kept.

The books of such county law library shall consist of all volumes belonging to the Commonwealth of Kentucky which have heretofore been sent to the various county officials directed by law to receive such books, and all volumes which shall hereafter be sent to such library by the county or hereafter acquired by the county for the library. The counties may acquire books, maps, or other articles for the library by purchase, gift or device.

The circuit court clerk shall by virtue of his office be the librarian of said library and he shall see that county and state officials have access to the library at reasonable hours each day except Sunday and holidays.

He shall keep the library rooms in order, preserve, ar-

range and carefully index all the books, charts, maps and furniture belonging to the Commonwealth, and see that no books or other things are taken from the library rooms without a receipt being given therefor as herein required.

He shall receipt for all books, maps and furniture placed in the library, which receipts shall be given to the state librarian and preserved in his office at Frankfort.

He shall take an inventory in the month of December of each year of all the books, maps, charts or other property belonging to the Commonwealth and report said inventory under oath to the state librarian before the first day of January of the following year. If said report is not received by the state librarian as herein provided it shall be his duty to communicate with the clerk therefor and any clerk who is delinquent in making said report shall be fined five dollars ($5.00) for each month or part of month said report is delinquent.

All laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Mr. Mattingly moved that said bill be laid on the table.

Said motion was agreed to.

And so said bill was tabled.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 416. An Act to repeal and re-enact Section 4122 of the 1930 Edition of Carroll's Kentucky Statutes, and repealing of all other statutes inconsistent therewith.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That Section 4122 of the 1930 Edition of Carroll's Kentucky Statutes be repealed and re-enacted so that when so re-enacted it shall read:

"The sheriff shall notify all taxpayers whose property has been raised or assesed by the board of supervisors. In case of persons residing in the county, service of notice shall be had by handing a copy of the notice to such persons, or if such person be temporarily absent from the county, or cannot be found in the county, by delivering a copy of the notice to some person over sixteen years of age at the residence of such person, or by posting a copy of the notice on the front door of the residence of such person. In the case of a corporation, service may be had by delivering a copy of the notice to the attorney or designated agent of such corporation, or the chief officer, agent or employee of such corporation at its principal place of business in the county, or by posting a copy on the front door of the principal office or place of business of such corporation in the county. In the case of a non-resident, service may be had by delivering a copy of the notice to the designated agent of said non-resident in the county, and if no agent has been designated, then service may be had by mailing a copy of the notice to the taxpayer, and a return by the sheriff showing that he sent by first class mail the notice addressed to the taxpayer at his address given on the schedule of his property, and if no such address be given, or the assessment is made by the board, to the post office nearest where the property is located, shall be deemed sufficient notice to the taxpayer. In the case of an infant or person of unsound mind, service may be had by delivering a copy of notice to the attorney, guardian, curator or committee, or person having charge or custody of such infant or lunatic, or if no such person upon whom to serve notice can be found, then by posting in a conspicuous place on the premises.

"Where the increase or assessment made by the board of supervisors amounts to less than two hundred dollars on

any taxpayer, it shall be deemed sufficient if the sheriff shall mail notice to the taxpayer and make return in the same manner as provided for giving notice to non-residents by mail.

"The sheriff shall make return showing in what manner he has served notice on each taxpayer whose property has been raised or assessed by the board, and shall file said return with the county court clerk who shall preserve the same for two years. Failure or omission of the sheriff to give notice to the taxpayer, or to make return as provided herein shall subject him to a fine of not less than five nor more than twenty-five dollars, to be recovered by indictment, information or penal action, and each such omission shall be deemed a separate offense.

"All notices required to be given under this act shall be such as will allow the taxpayer a reasonable time after the same has been executed or received, or should have been received, by him which to appear before such board.

"The sheriff shall be allowed ten cents for each notice executed and returned by him, to be paid out of the county levy, except that when notice is executed by mail, the sheriff shall be allowed five cents for each notice executed and returned by him."

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Wallace Brown | R. A. Demunbrun |
| Wm. B. Belknap | Frank C. Bruton | Rudy Ferguson |

| | | |
|---|---|---|
| J. S. Hall | Herschel McKinley | Waylon Rayburn |
| J. Joseph Hettinger | C. C. McMasters | Mrs. M. B. Scott |
| Dr. A. L. Hill | Clarence Miller | Henry T. Ward |
| G. C. Johnson | H. H. Miller | Robert E. Webb |
| Leo King | Tyler Munford | J. B. Wicker |
| Alden L. Love | Rodes K. Myers | —23 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Henry H. Allen | Joel T. Crenshaw | J. S. Mattingly |
| Levi Baker | George Dunlap | G. Samuel Milam |
| Harold L. Barnes | Garland Embry | W. H. Miller |
| Robert E. Beatty | Clarence E. Evans | James I. Peters |
| O. J. Bowen | T. P. Fitzpatrick | M. D. Phelps |
| Jas. C. Bright | Kelly J. Francis | Steve Pieratt |
| Corbett Brown | C. Gottschalk | L. D. Sandlin |
| Hugh K. Bullitt | Ira W. Hulette | Avery Sartin |
| Charles Chandler | T. M. Johnson | Jos. W. Schneider |
| J. A. Coleman | W. L. Knuckles, Jr. | Lyle C. Tackett |
| Sidney J. Collins | C. C. May | Starling B. Tracy |
| | | —33 |

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 439. An Act enabling the fiscal courts of counties containing cities of the fifth and sixth classes to enter into a contract with said cities to construct a road through said cities or towns.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. The fiscal court of any county containing a city of the fifth or sixth class is hereby empowered, when in their opinion the welfare of the county demands it, to enter into a contract with such city of the fifth or sixth class for the construction of a road into or through said city.

In the event it is necessary to construct such road or street at a greater cost than is paid for the construction of like lineal mileage outside of such city, the city may pay the additional cost of construction, and the details shall be agreed upon between said city and the fiscal court of the county. And, in the event no such agreement is made, such road shall be constructed of the same type and cost as nearly as possible as that constructed outside the corporate limits of such city or town.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Mrs. Cecil Cantrill | W. Yancey Handy |
| Carroll D. Asbury | Charles Chandler | Judson Harmon |
| Levi Baker | J. A. Coleman | Frank Harris |
| Harold L. Barnes | Sidney J. Collins | J. Joseph Hettinger |
| Robert E. Beatty | Joel T. Crenshaw | Dr. A. L. Hill |
| B. F. Bedford | Carroll L. Cropper | Ira W. Hulette |
| Wm. B. Belknap | R. A. Demunbrun | G. C. Johnson |
| Reuben J. Boling | S. S. Dickson | T. M. Johnson |
| O. J. Bowen | Clarence E. Evans | J. H. King |
| Jas. C. Bright | Rudy Ferguson | Leo King |
| Corbett Brown | Kelly J. Francis | W. L. Knuckles, Jr. |
| Wallace Brown | C. Gottschalk | M. T. McCarthy |
| Hugh K. Bullitt | J. S. Hall | Herschel McKinley |

| | | |
|---|---|---|
| J. S. Mattingly | M. D. Phelps | J. Sterling Towles |
| G. Samuel Milam | Waylon Rayburn | Robert E. Webb |
| Clarence Miller | Avery Sartin | J. B. Wicker |
| H. H. Miller | Jos. W. Schneider | B. M. Williams |
| Tyler Munford | Mrs. M. B. Scott | —53 |

Resolved that the title thereof be as aforesaid.

Mr. Towles moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Enrolling Clerk of this House returned the original and enrolled copies of bills which originated in this House entitled:

H. B. 657. An Act to appropriate $250,000 to obtain land, caves, cave rights and other real and personal property and estates and interests therein the Mammoth Cave National Park area.

H. B. 237. An Act to amend and re-enact Section 2739j-78; Section 2739j-91, and Section 2739j-94 Carroll's Kentucky Statutes, etc.

H. B. 279. An Act relating to the taxation of domestic life insurance companies, etc.

H. B. 435. An Act to amend and re-enact Section 4134 of Kentucky Statutes, relating to bonds of sheriffs, etc.

H. B. 436. An Act to amend and re-enact Section 4664 of Kentucky Statutes, relating to bonds; discharge of sureties thereon.

H. B. 437. An Act to amend and re-enact Section 186d-1 of Kentucky Statutes, relating to bonds of officers, etc.

H. B. 438. An Act relating to taxes and land sold for same and redemption of said lands.

H. B. 60. An Act to change and fix the time of holding the terms of Circuit Court in the 37th Judicial District.

Which were signed by the Speaker of the House in open session and in the presence of the House on Saturday, March 10, duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Mr. Love of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

S. B. 82. An Act to allow candidates voted for in primary to contest right of any candidate to nomination.

S. B. 191. An Act to provide for licensing of life insurance agents.

S. Res. 30. Resolution designating Department of Labor to cooperate with U. S. Employment Service, etc.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that said bills be delivered to the Enrolling Clerk of the Senate.

At the instance of the Committee on Rules the following bills were reported, viz.:

S. B. 342. An Act to amend and re-enact Section 772a, subsections 1 to 4 inclusive, of Carroll's Kentucky Statutes of 1928, being Chapter 18, etc.

S. Res. 23. Resolution authorizing William E. Clare to sue the Commonwealth.

S. B. 105. An Act to amend and re-enact Section 1 of an Act providing for the renewal of franchises of Public Utilities in cities of the 2nd, 3rd, 4th, 5th, and 6th classes.

S. B. 298. An Act to amend Sections 864, 864a, 864b and 865a of Carroll's Kentucky Statutes of 1930, providing for the method of withdrawal of shares in building and loan associations, etc.

S. B. 304. An Act to repeal and re-enact Section 373 of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, relating to the bonds to be executed by circuit and county court clerks.

S. B. 321. An Act providing additional duties of the County Treasurer in counties of less than 50,000 inhabitants.

S. B. 330. An Act to regulate, control and fix standard weights of wheat flour and the size of packages containing same; and to provide penalties for the violation of this Act.

S. B. 361. An Act to regulate toll bridges and ferries and providing penalties.

S. B. 410. An Act repealing and re-enacting Section 1992a-26 Carroll's Kentucky Statutes, Baldwin's 1930 Revision relating to appropriations etc.

S. B. 253. An Act to repeal, amend and re-enact Section 2095b-13a Kentucky Statutes, Carroll's 1930 Edition, fixing the ages of minor children etc.

S. Res. 68. Resolution of appreciation of public service by the Hon. Ben Niles.

S. B. 247. An Act relating to the fiscal administration of counties; providing for a uniform budget system.

S. B. 350. An Act to amend the Constitution of the Commonwealth of Kentucky, relating to old age pensions.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Dr. Hill moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

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TUESDAY, MARCH 13, 1934.

The House was opened with prayer by the Reverend Bright of the county of Knox.

The roll was called and the following members answered to their names, viz.:

Henry H. Allen
Carroll D. Asbury
Levi Baker
Harold L. Barnes
Marshall Barnes
Robert E. Beatty
B. F. Bedford
Wm. B. Belknap
Reuben J. Boling
O. J. Bowen
Jas. C. Bright
Corbett Brown
Wallace Brown
Frank C. Bruton
Hugh K. Bullitt
Mrs. Cecil Cantrill
Charles Chandler
J. A. Coleman
Sidney J. Collins
D. B. Coughlin
Joel T. Crenshaw
Carroll L. Cropper
G. Cunningham
W. J. Curtis
Harry Davis
R. A. Demunbrun
S. S. Dickson
George Dunlap
Garland Embry
Clarence E. Evans
Rudy Ferguson
T. P. Fitzpatrick
J. B. Floyd
Kelly J. Francis
L. J. Gammon
W. J. Garnett
Ralph Gilbert
Ferd A. Gnau
C. Gottschalk
J. S. Hall
W. Yancey Handy
Judson Harmon
Frank Harris
R. M. Harrison, Jr.
J. Joseph Hettinger
Dr. A. L. Hill
John R. Hobbs
G. W. Howard
Ira W. Hulette
G. C. Johnson
T. M. Johnson
F. P. Kessee
J. H. King
Leo King
John Kirtley
W. L. Knuckles, Jr.
Glenn W. Lane
Alden L. Love
M. T. McCarthy
George R. McIntosh
Herschel McKinley
C. C. McMasters
Roy McWaters
C. C. May
J. S. Mattingly
L. B. Meadors
G. Samuel Milam
Clarence Miller
H. H. Miller
W. H. Miller
James B. Milliken
Tyler Munford
Rodes K. Myers
Robert A. Persky
James I. Peters
M. D. Phelps
Steve Pieratt
Kleber F. Price
G. M. Pritchett
Pat Rankin
Waylon Rayburn
W. P. Renfro
L. D. Sandlin
Avery Sartin
Jos. W. Schneider
Mrs. M. B. Scott
Harry Sparks
Lafe J. Spencer
Lyle C. Tackett
Elmore J. Thomas
Harry B. Thornton
J. Sterling Towles
Starling B. Tracy
Henry T. Ward
Robert E. Webb
J. B. Wicker
B. M. Williams
W. E. Rogers, Spr.

Mr. Rayburn moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Webb moved that the privilege of the floor be extended to Mr. W. J. Webb.

Said motion was agreed to.

Mr. Rayburn moved that the privilege of the floor be extended to Mr. Odie Coleman.

Said motion was agreed to.

Mr. Coleman moved that the privilege of the floor be extended to Mr. C. I. Ross.

Said motion was agreed to.

Mr. McCarthy moved that the privilege of the floor be extended to Messrs. Walter Baynes and Frank Winstead.

Said motion was agreed to.

The Enrolling Clerk of this House delivered the original and enrolled copies of bills which originated in this House, entitled:

H. B. 30. An Act relating to the Primary System of Roads and Highways.

H. B. 42. An Act relating to the Primary System of Roads and Highways.

H. B. 43. An Act relating to the Primary System of Roads and Highways.

H. B. 52. An Act relating to the Primary System of Roads and Highways.

H. B. 53. An Act relating to the Primary System of Roads and Highways.

H. B. 54. An Act relating to the Primary System of Roads and Highways.

H. B. 55. An Act relating to the Primary System of Roads and Highways.

H. B. 63. An Act relating to the Primary System of Roads and Highways.

H. B. 64. An Act relating to the Primary System of Roads and Highways.

H. B. 69. An Act relating to the Primary System of Roads and Highways.

H. B. 70. An Act relating to the Primary System of Roads and Highways.

H. B. 71. An Act relating to the Primary System of Roads and Highways.

H. B. 72. An Act relating to the Primary System of Roads and Highways.

H. B. 73. An Act relating to the Primary System of Roads and Highways.

H. B. 74. An Act relating to the Primary System of Roads and Highways.

H. B. 75. An Act relating to the Primary System of Roads and Highways.

H. B. 76. An Act relating to the Primary System of Roads and Highways.

H. B. 77. An Act relating to the Primary System of Roads and Highways.

H. B. 78. An Act relating to the Primary System of Roads and Highways.

H. B. 79. An Act relating to the Primary System of Roads and Highways.

H. B. 80. An Act relating to the Primary System of Roads and Highways.

H. B. 81. An Act relating to the Primary System of Roads and Highways.

H. B. 82. An Act relating to the Primary System of Roads and Highways.

H. B. 83. An Act relating to the Primary System of Roads and Highways.

H. B. 84. An Act relating to the Primary System of Roads and Highways.

H. B. 85. An Act relating to the Primary System of Roads and Highways.

H. B. 88. An Act relating to the Primary System of Roads and Highways.

H. B. 89. An Act relating to the Primary System of Roads and Highways.

H. B. 90. An Act relating to the Primary System of Roads and Highways.

H. B. 103. An Act relating to the Primary System of Roads and Highways.

H. B. 104. An Act relating to the Primary System of Roads and Highways.

H. B. 105. An Act relating to the Primary System of Roads and Highways.

H. B. 111. An Act relating to the Primary System of Roads and Highways.

H. B. 117. An Act relating to the Primary System of Roads and Highways.

H. B. 132. An Act relating to the Primary System of Roads and Highways.

H. B. 133. An Act relating to the Primary System of Roads and Highways.

H. B. 134. An Act relating to the Primary System of Roads and Highways.

H. B. 135. An Act relating to the Primary System of Roads and Highways.

H. B. 137. An Act relating to the Primary System of Roads and Highways.

H. B. 138. An Act relating to the Primary System of Roads and Highways.

H. B. 139. An Act relating to the Primary System of Roads and Highways.

H. B. 166. An Act relating to the Primary System of Roads and Highways.

H. B. 169. An Act relating to the Primary System of Roads and Highways.

H. B. 170. An Act relating to the Primary System of Roads and Highways.

H. B. 171. An Act relating to the Primary System of Roads and Highways.

H. B. 173. An Act relating to the Primary System of Roads and Highways.

H. B. 174. An Act relating to the Primary System of Roads and Highways.

H. B. 175. An Act relating to the Primary System of Roads and Highways.

H. B. 176. An Act relating to the Primary System of Roads and Highways.

H. B. 177. An Act relating to the Primary System of Roads and Highways.

H. B. 178. An Act relating to the Primary System of Roads and Highways.

H. B. 186. An Act relating to the Primary System of Roads and Highways.

H. B. 190. An Act relating to the Primary System of Roads and Highways.

H. B. 193. An Act relating to the Primary System of Roads and Highways.

H. B. 194. An Act relating to the Primary System of Roads and Highways.

H. B. 195. An Act relating to the Primary System of Roads and Highways.

H. B. 205. An Act relating to the Primary System of Roads and Highways.

H. B. 209. An Act relating to the Primary System of Roads and Highways.

H. B. 215. An Act relating to the Primary System of Roads and Highways.

H. B. 216. An Act relating to the Primary System of Roads and Highways.

H. B. 217. An Act relating to the Primary System of Roads and Highways.

H. B. 218. An Act relating to the Primary System of Roads and Highways.

H. B. 219. An Act relating to the Primary System of Roads and Highways.

H. B. 220. An Act relating to the Primary System of Roads and Highways.

H. B. 233. An Act relating to the Primary System of Roads and Highways.

H. B. 234. An Act relating to the Primary System of Roads and Highways.

H. B. 238. An Act relating to the Primary System of Roads and Highways.

H. B. 240. An Act relating to the Primary System of Roads and Highways.

H. B. 247. An Act relating to the Primary System of Roads and Highways.

H. B. 248. An Act relating to the Primary System of Roads and Highways.

H. B. 249. An Act relating to the Primary System of Roads and Highways.

H. B. 250. An Act relating to the Primary System of Roads and Highways.

H. B. 253. An Act relating to the Primary System of Roads and Highways.

H. B. 262. An Act relating to the Primary System of Roads and Highways.

H. B. 266. An Act relating to the Primary System of Roads and Highways.

H. B. 269. An Act relating to the Primary System of Roads and Highways.

H. B. 270. An Act relating to the Primary System of Roads and Highways.

H. B. 271. An Act relating to the Primary System of Roads and Highways.

H. B. 272. An Act relating to the Primary System of Roads and Highways.

H. B. 273. An Act relating to the Primary System of Roads and Highways.

H. B. 274. An Act relating to the Primary System of Roads and Highways.

H. B. 275. An Act relating to the Primary System of Roads and Highways.

H. B. 276. An Act relating to the Primary System of Roads and Highways.

H. B. 277. An Act relating to the Primary System of Roads and Highways.

H. B. 278. An Act relating to the Primary System of Roads and Highways.

H. B. 285. An Act relating to the Primary System of Roads and Highways.

H. B. 287. An Act relating to the Primary System of Roads and Highways.

H. B. 288. An Act relating to the Primary System of Roads and Highways.

H. B. 289. An Act relating to the Primary System of Roads and Highways.

H. B. 290. An Act relating to the Primary System of Roads and Highways.

H. B. 291. An Act relating to the Primary System of Roads and Highways.

H. B. 292. An Act relating to the Primary System of Roads and Highways.

H. B. 293. An Act relating to the Primary System of Roads and Highways.

H. B. 300. An Act relating to the Primary System of Roads and Highways.

H. B. 301. An Act relating to the Primary System of Roads and Highways.

H. B. 304. An Act relating to the Primary System of Roads and Highways.

H. B. 308. An Act relating to the Primary System of Roads and Highways.

H. B. 309. An Act relating to the Primary System of Roads and Highways.

H. B. 310. An Act relating to the Primary System of Roads and Highways.

H. B. 311. An Act relating to the Primary System of Roads and Highways.

H. B. 315. An Act relating to the Primary System of Roads and Highways.

H. B. 324. An Act relating to the Primary System of Roads and Highways.

H. B. 326. An Act relating to the Primary System of Roads and Highways.

H. B. 331. An Act relating to the Primary System of Roads and Highways.

H. B. 333. An Act relating to the Primary System of Roads and Highways.

H. B. 337. An Act relating to the Primary System of Roads and Highways.

H. B. 341. An Act relating to the Primary System of Roads and Highways.

H. B. 343. An Act relating to the Primary System of Roads and Highways.

H. B. 348. An Act relating to the Primary System of Roads and Highways.

H. B. 349. An Act relating to the Primary System of Roads and Highways.

H. B. 350. An Act relating to the Primary System of Roads and Highways.

H. B. 351. An Act relating to the Primary System of Roads and Highways.

Which were signed by the Speaker in open session and in the presence of the House on March 10.

Duly signed by the President of the Senate.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

The hour of twelve o'clock Meridian having arrived, Dr. Hill moved that the House do now recess until one-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

## AFTERNOON SESSION.

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

A message was received from the Senate announcing that they had passed bills which originated in that body, entitled:

S. B. 413. An Act to re-create the Nine Road Commission Districts.

S. B. 207. An Act to repeal and re-enact Section 1679 Carroll's Kentucky Statutes, relating to personal exemptions of families.

S. B. 152. An Act to prevent the destruction or marring

of trees, shrubs and other flora growing or being on the rights of way of State or County maintained roads.

S. B. 366. An Act to abolish the Department of Library and Archives created by Article 20 of the Administrative Reorganization Act, etc.

Ordered that said bills be printed and referred to Committee on Rules.

Mr. Ferguson moved that the privilege of the floor be extended to Messrs. Garth Ferguson and Dave Ferguson.

Said motion was agreed to.

Mr. Allen moved that the privilege of the floor be extended to Mrs. Schrivenker and Miss Ivy Schrivenker, Mr. B. W. Haynes, William H. Allen, Curtis Brown, John R. Hardin of Meade County.

Said motion was agreed to.

Mr. Sparks moved that the privilege of the floor be extended to Dr. W. W. Leslie and Mr. Joe Murphy.

Said motion was agreed to.

Mr. Marshall Barnes moved that the privilege of the floor be extended to Mr. D. Hunter, Lyman Barrett, Gilmore Keown and Raymond Nall.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 404. An Act whereby the sense of the people of any county may be taken as to whether or not they desire the licensing of dogs and protection of livestock.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. Upon the application by written petition signed by a number of legal voters in each precinct of the county to be effected equal to a 25% of the votes cast in each of said precincts at the last preceding general election, it shall be the duty of the judge of the county court in said county at the next regular term thereof after receiving said petition to make an order on his order book directing an election to be held in said county on some day named in said petition not earlier than sixty (60) days after said application is lodged with the judge of said court, which order shall direct the sheriff or other officer of said county who may be appointed to hold said election to open a poll at each and all of the voting places in said county on said date for the purpose of taking the sense of the legal voters of said county who are qualified to vote at elections for county officers upon the proposition whether or not they shall desire the licensing of dogs for the purpose of creating a dog fund which should be used for the payment of livestock or poultry killed or damaged by dogs.

§ 2. It shall be the duty of the county clerk to give to the sheriff of the county, or such officer as may be appointed to hold such election, a certified copy of the order of the said county court as it appears on the order book within five days after said order is made.

And it shall be the duty of the sheriff, or other officer, to have said order published in some weekly or daily paper published in the county for at least two weeks before the said election, and also to advertise the same by printed or written handbills posted in some conspicuous place in each precinct in the

county; and in case there is no weekly or daily newspaper published in the county, or the publishers refuse to publish such notice, the printed or written handbills posted as herein provided for shall be sufficient notice. The sheriff, or other officer, shall have the advertisement or notice posted herein required within seven days after he receives the order of the county court. All the elections provided for in this Act shall be held by such officers as would be qualified to hold elections for county officers, and they shall be selected in the same way.

§ 3. If it shall be found that a majority of the legal votes cast at any election herein provided for were given for or against the licensing of dogs and the protection of livestock, it shall be the duty of the county election commission to certify to that fact, which certificate shall be delivered to the clerk of the county court and by him safely kept until the next regular term of the county court, at which term the judge thereof shall have the same spread on the order book of his report, and said entry of the certificate in the order book, or a certified copy thereof, shall be *prima facie* evidence of any or all proceedings under this Act.

§ 4. When an election is ordered as herein provided, the county clerk shall have printed on the ballots for each precinct at which a vote is to be taken the question: "Are you in favor of licensing dogs and a termination of the dog fund?"

§ 5. After the entry of the certificate of the county election commission, as above provided for, in the order book of the county court, if the vote was given against the licensing of dogs and the protection of livestock by the creation of the dog fund, owners of all dogs thereafter in that county shall not be required to pay a license fee, and the fund created by the license fee for the payment of livestock or poultry killed or damaged by dogs, as now provided by law, shall cease to exist in said county so voting.

§ 6. The county court shall not make the order for said election until the persons signing the petition have deposited with the county judge in money an amount sufficient to pay

for printing or posting advertisements, as provided for, and the fees of the clerk for making the entries on the order book and other legal fees.

§ 7. If, at any election held in the county, it shall be found that a majority of the legal votes cast at said election are in favor of licensing dogs and continuing the fund for the payment of livestock and poultry created thereby, then in that event dogs shall be licensed in the manner now provided for by law as if no election had been held.

§ 8. If in any election provided for in this Act any person shall vote who is not entitled to vote under the laws of this Commonwealth at election for county officers, he shall be punished as for violation of the general law on elections; and all general laws to protect the purity of general elections shall be applicable to this Act.

§ 9. The election or elections provided for shall not be held oftener than once in four years and may be held on the same day as any regular political election.

§ 10. Any election held under this act may be contested in the manner required by law for the contesting of any other election.

§ 11. The contestants or contestees shall have the right to appeal from the decision of the county election commission to the circuit court of the county where the contest is pending in the same way as appeals are taken from the Quarterly Court to the Circuit Court, and appeal may also be taken from the circuit court to the Court of Appeals. The cost of the contest shall be adjudged against the unsuccessful party.

Mr. Wicker offered the following amendment to said bill, viz.:

Amend H. B. 404 by adding to the bill that each and every family in the State of Kentucky be allowed one dog free of tax.

Without objection said amendment was withdrawn.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Levi Baker | W. Yancey Handy | Roy McWaters |
| Reuben J. Boling | Judson Harmon | L. B. Meadors |
| Jas. C. Bright | Frank Harris | G. Samuel Milam |
| Corbett Brown | R. M. Harrison, Jr. | Clarence Miller |
| Frank C. Bruton | Dr. A. L. Hill | H. H. Miller |
| Charles Chandler | John R. Hobbs | W. H. Miller |
| J. A. Coleman | G. W. Howard | Rodes K. Myers |
| G. Cunningham | F. P. Kessee | M. D. Phelps |
| Harry Davis | J. H. King | Waylon Rayburn |
| R. A. Demunbrun | John Kirtley | L. D. Sandlin |
| Garland Embry | W. L. Knuckles, Jr. | Avery Sartin |
| Rudy Ferguson | Glenn W. Lane | John W. Taylor |
| Ferd A. Gnau | Alden L. Love | Robert E. Webb |
| C. Gottschalk | M. T. McCarthy | J. B. Wicker |
| J. S. Hall | C. C. McMasters | B. M. Williams |

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Those who voted in the negative were—

| | | |
|---|---|---|
| Henry H. Allen | Wallace Brown | George Dunlap |
| Carroll D. Asbury | Hugh K. Bullitt | Clarence E. Evans |
| Harold L. Barnes | Mrs. Cecil Cantrill | T. P. Fitzpatrick |
| Marshall Barnes | Sidney J. Collins | J. B. Floyd |
| B. F. Bedford | D. B. Coughlin | Kelly J. Francis |
| Wm. B. Belknap | Joel T. Crenshaw | W. J. Garnett |
| O. J. Bowen | S. S. Dickson | Ira W. Hulette |

| | | |
|---|---|---|
| G. C. Johnson | James I. Peters | Lyle C. Tackett |
| T. M. Johnson | Steve Pieratt | Elmore J. Thomas |
| George R. McIntosh | Kleber F. Price | Harry B. Thornton |
| Herschel McKinley | G. M. Pritchett | J. Sterling Towles |
| J. S. Mattingly | Pat Rankin | Starling B. Tracy |
| Tyler Munford | W. P. Renfro | Henry T. Ward |
| Richard H. Nufer | Harry Sparks | |
| Robert A. Persky | Lafe J. Spencer | —43 |

Resolved that the title thereof be as aforesaid.

Mr. Meadors moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 332. An Act relating to the appointment and removal of officers; repealing, amending and re-enacting Section 3750 Carroll's Kentucky Statutes, 1930 Edition, and repealing all conflicting laws.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 3750, Carroll's Kentucky Statutes, 1930 Edition, relating to the appointment and removal of officers be, and the same is hereby repealed, amended and re-enacted and when so repealed, amended and re-enacted shall read as follows:

"Any person heretofore or hereafter appointed to an office by the Governor either with or without the advice and consent of the Senate may be removed therefrom by the Governor, during the term for which he was appointed, for any

cause the Governor may deem sufficient, and if the Governor deems it advisable that any officer should be removed he may simply make an order to that effect in the Executive journal, and said office shall thereupon be vacant and said vacancy may be filled in the manner provided by law."

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Harry Davis | G. C. Johnson |
| Carroll D. Asbury | R. A. Demunbrun | T. M. Johnson |
| Harold L. Barnes | Garland Embry | F. P. Kessee |
| Robert E. Beatty | Rudy Ferguson | J. H. King |
| B. F. Bedford | T. P. Fitzpatrick | Leo King |
| Wm. B. Belknap | J. B. Floyd | John Kirtley |
| Reuben J. Boling | L. J. Gammon | W. L. Knuckles, Jr. |
| O. J. Bowen | W. J. Garnett | Glenn W. Lane |
| Jas. C. Bright | Ralph Gilbert | Alden L. Love |
| Corbett Brown | Ferd A. Gnau | M. T. McCarthy |
| Frank C. Bruton | C. Gottschalk | George R. McIntosh |
| Hugh K. Bullitt | J. S. Hall | C. C. McMasters |
| Mrs. Cecil Cantrill | W. Yancey Handy | Roy McWaters |
| Charles Chandler | Judson Harmon | L. B. Meadors |
| J. A. Coleman | R. M. Harrison, Jr. | G. Samuel Milam |
| Joel T. Crenshaw | J. Joseph Hettinger | Clarence Miller |
| Carroll L. Cropper | Dr. A. L. Hill | W. H. Miller |
| G. Cunningham | John R. Hobbs | Tyler Munford |
| W. J. Curtis | G. W. Howard | Rodes K. Myers |

| | | |
|---|---|---|
| Richard H. Nufer | Waylon Rayburn | Elmore J. Thomas |
| Robert A. Persky | L. D. Sandlin | J. Sterling Towles |
| M. D. Phelps | Avery Sartin | Starling B. Tracy |
| Steve Pieratt | Mrs. M. B. Scott | Henry T. Ward |
| G. M. Pritchett | Lafe J. Spencer | |
| Pat Rankin | Lyle C. Tackett | |

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Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | Kelly J. Francis | Kleber F. Price |
| Marshall Barnes | Frank Harris | W. P. Renfro |
| Wallace Brown | Ira W. Hulette | Jos. W. Schneider |
| Sidney J. Collins | Herschel McKinley | John W. Taylor |
| D. B. Coughlin | J. S. Mattingly | Harry B. Thornton |
| S. S. Dickson | H. H. Miller | Robert E. Webb |
| George Dunlap | James B. Milliken | J. B. Wicker |
| Clarence E. Evans | James I. Peters | B. M. Williams |

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Resolved that the title thereof be as aforesaid.

Mr. Gilbert moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration a bill entitled:

H. B. 585. An Act to authorize cities of the 1st class to purchase, establish, erect, maintain and operate Low Cost Housing Projects, etc.

With an amendment thereto by way of Substitute therefor, as proposed by the Senate, which was reported to this House from the Senate on yesterday.

(For bill see House Journal of March 7.)

Said Substitute as proposed by the Senate to said bill is as follows, viz.:

Amend H. B. 585 by substituting therefor the following:

An Act to authorize Cities of the First Class and Second Class, to purchase, establish, erect, maintain and operate Low Cost Housing Projects; and to issue bonds therefor payable from the revenues of such Low Cost Housing Projects and secured by lien on the net revenue therefrom and on the land and improvements embraced in such projects; providing for a Municipal Housing Commission in said Cities of the First Class and Second Class to establish, erect, maintain and operate such Municipal Housing Projects, and fixing the powers and duties of such Commission.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

1. Cities of the First Class and Second Class are hereby authorized and empowered to acquire, establish, erect, maintain and operate low cost housing projects within the corporate limits of such municipality and under the provisions of this act, for the purpose of providing adequate and sanitary living quarters for individuals or families. It is hereby declared as a matter of legislative determination that in order to promote and protect the health, safety, morals and welfare of the public it is necessary in the public interest to confer these powers upon cities; and to provide for the creation of municipal housing commissions as hereinafter provided, and to vest in them all powers necessary or appropriate in order that they may engage in low cost housing and slum clearance projects; and that the powers herein conferred upon the cities and the municipal housing commissions including the power to acquire property, to remove unsanitary or substandard conditions, to construct and operate housing accommodations and to borrow, expend and repay moneys for the purposes

herein set forth, are public objects essential to the public interest.

2. The Mayor of any city of the first class or second class, with the approval of the legislative body of the city, may appoint four persons, who, with the Mayor, *ex officio,* shall constitute the Municipal Housing Commission.

Each person so appointed to the said Municipal Housing Commission shall be at least twenty-five years of age and a *bona fide* resident of such municipality for not less than one year preceding such appointment. No officer or employee of said city, whether holding a paid or unpaid office, shall be eligible to hold an appointment on such commission. Such appointees shall be originally appointed for terms of four years. Upon the expiration of such term, appointment shall be made in like manner except that the terms of the four appointees shall be for one year, two years, three years and four years respectively, and the successors of such appointees shall be appointed in like manner, each for a period of four years. Not more than two of such appointees on any Commission shall be affiliated with the same political party. Vacancies shall be filled for any unexpired term in the same manner as the original appointment.

The persons appointed as provided herein shall constitute a body corporate under the name of (Insert name of City) Municipal Housing Commission, and shall have power to contract and be contracted with, to sue or be sued in such name and to adopt a seal and alter same at pleasure. Such Commission shall elect a Chairman and a Vice Chairman from its members, and a Secretary and Treasurer who need not be a member of such Commission. The duties of the offices of Secretary and Treasurer may be performed by the same person.

The members of such commission, except the Mayor, shall receive such compensation as may be fixed by the legislative body of the city either as a salary or as payment for meetings attended, but the maximum compensation of the Chairman in

any year shall not exceed $2,000.00 and of each other member shall not exceed $400.00 per year. Such Commission shall fix the compensation of the secretary and treasurer or secretary-treasurer in its discretion except as hereinafter provided or as may be provided by the legislative body of the said city of the first class or second class.

Such Commission shall have power to establish By-Laws, rules and regulations for its own government and to make and enter into all contracts or agreements necessary or incidental to the performance of the duties and the execution of its powers under this act.

Such Commission may employ engineering, architectural and constructural experts and inspectors and attorneys, and such employees as may be necessary in its opinion, and fix their compensation subject to the limitations hereinafter provided and/or as may be hereinafter provided by the legislative body of said city of the first class or second class, all of whom shall do such work as said Commission shall direct; provided, however, that the legislative body of said city or cities of the first class or second class may provide or prescribe whether or not said employees or any of them shall be required to devote their entire time to their duties as such employees of said Commission.

3. The words "Municipal Low Cost Housing Project," whenever used in this act, shall mean buildings containing rooms or sets of rooms to be leased as living quarters for families or individuals, together with such shops, stores, garages, laundries, doctors' and dentists' offices and other facilities and appurtenances as may, in the judgment of the Commission, be reasonably necessary to the successful and economical operation of the project.

4. In a city of the first class, the municipal housing commission shall submit to City Planning and Zoning Commission the location, character and extent of any new street, square, park, or other public way, ground or open space, or any public building or structure or public utility for approval

in the manner provided in Section 3037h-119 of Carroll's Kentucky Statutes; and all low cost housing projects shall be subject to the planning, zoning, sanitary and building laws, ordinances and regulations applicable to the locality in which the project is situated.

The Commission, appointed as herein provided, is hereby authorized and it shall be its duty to prepare the necessary and proper plans and specifications for the construction of low cost housing projects, to select the location or locations for same, determine the size, type and method of construction thereof, to make the necessary estimates of the probable cost of construction and of the acquisition of the land and rights for the sites thereof in a manner hereinafter provided, to enter into the necessary contracts to build the necessary buildings, and to cause a survey and map to be made of all lands, structures, rights-of-ways, franchises, easements or other interests in lands, owned by any person or corporation, the acquisition of which may be deemed necessary for the construction of such low cost housing project, and to cause such map and survey to be filed in its office.

The members of such Commission, or its agents and employees, after reasonable notice to the occupants, owners or owners' agents in charge thereof, may enter upon such lands and structures, notwithstanding any interest in said lands and structures, for the purpose of making such surveys and maps, provided, however, that such Commission shall not proceed to exercise or carry out any authority or power herein given it to bind said Commission beyond the extent to which money has been provided under the authority of this act. No contract or agreement with any contractor or contractors for the construction of such low cost housing project exceeding in amount the sum of $2,000.00 shall be made without advertising for bids, which bids shall be opened publicly and an award made to the best bidder, with power in the Commission to reject any or all bids.

5. The Commission, appointed as herein provided, is

hereby authorized to acquire by gift, devise, bequest, grant, or purchase solely from the funds provided under the authority of this act, such lands, structures, right-of-ways, franchises, easements, or other interests in land necessary for the building of said lost cost housing projects upon such terms, prices or considerations as may be considered by the Municipal Housing Commission to be reasonable and can be agreed upon between said Commission and the owner or owners thereof.

Title to all property acquired by the Commission shall be taken in the name of the (Insert name of city) Municipal Housing Commission.

6. Whenever it shall become necessary to condemn property with said city for the purpose of constructing any low cost housing project, or securing rights-of-way leading thereto, the Commission may condemn any interest, franchises, easements, rights, or privileges, land or improvements, which may in its opinion, be necessary for the purpose of constructing said low cost housing project. The Commission may by resolution reciting such need, order the condemnation of such property, and proceedings for such condemnation shall be in the circuit court of the county in which the property lies, and shall be conducted in the name of the Commission by the City Attorney, and the judgment of the court shall vest title to the property condemned in the Commission. In all other respects, the form and manner of the proceedings shall be the same as that provided for the condemnation of property by boards of park commissioners in Section 2852 of Carroll's Kentucky Statutes. No payment or award in any condemnation proceedings, or for the cost of such proceedings, or the expense thereof shall be made except from funds provided under the authority of this act.

7. All individuals or corporations having buildings, structures, works, conduits, mains, pipes, tracts or other physical obstruction in, under, over or upon the public streets, lanes, alleys, highways, and which shall interfere with or im-

pede the progress of such low cost housing project, when in process of construction and establishment, shall, upon reasonable notice from such Commission, promptly so shift, adjust, accommodate or remove the same at their own cost and expense, except as otherwise provided or required by law, as fully to meet the exigencies occasioning such action and the city legislative body shall have full power by ordinance to prescribe the penalty of such failure.

8. Such Commission shall operate, manage, and control low cost housing projects in their entirety, fix the rate of rentals, establish by-laws and rules and regulations for the use and operation thereof not inconsistent with the provisions of this act, and select such employees as it deems necessary and fix their compensation, subject also to the provisions and limitations prescribed herein. The legislative body of the city shall have the power by ordinance to prescribe penalties for the violation of such by-laws, rules and regulations.

9. Any public ways or public works damaged or destroyed by reason of the building of such low cost housing projects shall be restored or repaired by such Commission and placed in their original condition as near as practicable.

10. Cities of the first and second class are hereby authorized to provide funds for carrying out the purposes of this Act by the issuance of revenue bonds of such cities pursuant to a resolution of the Housing Commission. Such bonds or other obligations of a Housing Commission shall not constitute an obligation of the state, city or any other governmental subdivision, agency or instrumentality thereof; but shall be payable only out of the properties, revenues and assets of the Housing Commission.

Nothing contained in this Act should be construed to authorize or permit any city of the first class or the second class to incur any indebtedness of any kind or nature as contemplated by the provisions of the Constitution of the Commonwealth in relation to the indebtedness of cities.

Subject to the restrictions set forth in this Act, a Hous-

ing Commission may incur any indebtedness and issue any obligations and give any security therefor which it may deem necessary or advisable in connection with any project undertaken by it hereunder. A housing Commission may issue its bonds to provide for the payment of its indebtedness from time to time in such amounts, with such muturities, upon such terms and conditions and upon such security as the Commission may deem necessary or advisable in connection with any project or projects undertaken or to be undertaken by it hereunder. Authorization for the issuance of bonds shall be made by resolution of the Housing Commission and the bonds shall be signed by the Chairman of the Commission or other agent designated by the Commission and by the Mayor or presiding officer of the legislative body of the city under the city's seal attested by a finance officer of the city. A Housing Commission may issue bonds which shall be payable out of its properties and revenues generally with or without the pledge or mortgage of specific property or revenues. It may also issue bonds in such form that they shall be payable only out of the properties and revenues specifically pledged or mortgaged for their payment.

A Housing Commission may in connection with the borrowing of funds or otherwise enter into any agreements with the Federal Government, or any agency or instrumentality thereof, including specifically the Federal Emergency Administration of Public Works and the Public Works Emergency Housing Corporation, providing for supervision and control of the Housing Commission or any project and containing such other covenants, terms, and conditions as the Housing Commission may deem advisable. In connection with any loan by a government, a Housing Commission is authorized to agree to limitations upon the exercise of any powers conferred upon it by this Act.

Bonds issued pursuant to this Act shall have and are hereby declared to have, in the hands of *bona fide* holders, all of the qualities of negotiable instruments under the law of

merchant or the negotiable instruments Act of the Commonwealth of Kentucky. They shall be exempt from taxation by the Commonwealth of Kentucky and by the municipalities and political subdivisions thereof. It shall be plainly stated on the face of each bond that it has been issued under the provisions of this Act and that it does not constitute an indebtedness of the city within the meaning of any constitutional provision or limitations.

In case any provision shall be made for the redemption or prepayment of any such bonds or evidence of indebtedness before maturitly, such provisions shall require that the bonds or evidences of indebtedness so to be redeemed or prepaid shall be selected by lot from the whole number of such issue then outstanding. The said bonds may be issued without a vote of the voters and without any other proceedings or happenings of any other conditions or things than those proceedings, conditions and things which are specified and required by this act or by the Constitution of the Commonwealth.

11. The rents and other revenues of a Housing Commission shall be applied as follows: First, to pay the interest and principal of the bonds issued under this Act as said payments respectively fall due; next, to pay the costs of maintaining, repairing, improving and operating its projects; next to create such reserve for depreciation as the Housing Commission may deem necessary and proper. The excess, if any, of the rents received during any annual period may be applied to the pre-payment of the obligations of the Housing Commission or may be placed in a special fund for the purpose of paying the principal and interest of such obligations as the same respectively become due.

12. When all the bonds issued under the provisions hereof, secured by a lien on the net rents derived from, and the land and improvements embraced in, a given low cost housing project or projects, together with the interest thereon, have been paid, or a sufficient amount has been accumulated in the special fund referred to in Paragraph 11 hereof to pay

the principal and interest of said bonds, the net annual rents derived from such project or projects, after deducting such amount as is, in the judgment of the Commission, reasonably necessary to defray the cost of maintaining, repairing and operating said project, and to provide such reserve for depreciation as the Commission deems necessary and proper, shall be paid into the sinking fund of such city to be used for the purposes set forth in Section 3010-8 and Section 3010-9 of Carroll's Kentucky Statutes, 1930 Edition.

13. No member or employee of a Housing Commission shall acquire any interest direct or indirect in any project or in any property included or planned to be included in any project, nor shall he have any interest direct or indirect in any contract or proposed contract for materials or services to be furnished or used in connection with any project. If any member or employee of any Commission owns or controls an interest direct or indirect in any property included in any project, which was acquired prior to his appointment or employment, he shall disclose the same in writing to the Commission at the time of his appointment and such disclosure shall be entered upon the minutes of the Commission.

Whenever it shall appear to the Mayor that a member of a Housing Commission is incompetent or guilty of neglect of duty or malfeasance, the Mayor shall require such member to appear before him to show cause why he should not be removed from office. At least fifteen days' written notice of such a hearing shall be given to the member whose conduct is in question and to all other members of the Commission. At the hearing the member may be represented by counsel and may appear personally and present such pertinent evidence as he wishes or as the Mayor may request.

If after a hearing the Mayor determines that a member has been incompetent or has been guilty of neglect or duty or malfeasance, he shall remove such member from the Commission within seven days, and there shall thereupon be deemed to be a vacancy of such office.

14. The Municipal Housing Commission shall have power, by contract with the owners thereof, to manage and/or operate any low cost housing project erected and/or owned by the Public Works Emergency Housing Corporation or any other Governmental Agency.

15. In view of present depressed economic conditions and the widespread unemployment, and whereas it is urgent and necessary to stimulate business for the purpose of increasing opportunities for employment of persons out of employment and to assist the Federal Government in its efforts to bring about a recovery in business throughout the nation and in the Commonwealth of Kentucky, an emergency is declared to exist, and this act shall become effective from and after its passage and approval.

16. Should any section, clause or provision of this act be declared by the court to be invalid, the same shall not affect the validity of the act as a whole or any part thereof, other than the part so declared to be invalid.

17. This act may be referred to as the Municipal Housing Commission Act.

Mr. Bullitt moved that the House do now concur in said amendment by way of Substitute, as offered by the Senate.

Said motion was agreed to.

Said Substitute was then concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Harold L. Barnes | Wm. B. Belknap | O. J. Bowen |
| Robert E. Beatty | Reuben J. Boling | Jas. C. Bright |

| | | |
|---|---|---|
| Wallace Brown | W. Yancey Handy | Richard H. Nufer |
| Frank C. Bruton | Judson Harmon | Robert A. Persky |
| Hugh K. Bullitt | R. M. Harrison, Jr. | M. D. Phelps |
| Mrs. Cecil Cantrill | J. Joseph Hettinger | Steve Pieratt |
| J. A. Coleman | Dr. A. L. Hill | Kleber F. Price |
| Sidney J. Collins | John R. Hobbs | Waylon Rayburn |
| Carroll L. Cropper | G. W. Howard | W. P. Renfro |
| G. Cunningham | Ira W. Hulette | Avery Sartin |
| W. J. Curtis | G. C. Johnson | Jos. W. Schneider |
| Harry Davis | T. M. Johnson | Mrs. M. B. Scott |
| R. A. Demunbrun | Glenn W. Lane | Harry Sparks |
| George Dunlap | Alden L. Love | Lafe J. Spencer |
| Rudy Ferguson | M. T. McCarthy | Elmore J. Thomas |
| T. P. Fitzpatrick | George R. McIntosh | J. Sterling Towles |
| L. J. Gammon | Roy McWaters | Henry T. Ward |
| W. J. Garnett | J. S. Mattingly | Robert E. Webb |
| Ralph Gilbert | G. Samuel Milam | J. B. Wicker |
| Ferd A. Gnau | Tyler Munford | |
| C. Gottschalk | Rodes K. Myers | —61 |

There voted in the negative—

H. H. Miller —1

Mr. Bullitt moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, Mr. Rayburn offered the following resolution, viz.:

H. Res. 78. Resolution obligating members of the General Assembly to balance the budget.

Said resolution is as follows, viz.:

CONCURRENT RESOLUTION

WHEREAS, the 1934 session of the General Assembly of Kentucky has proven to be by far the most progressive in all the recent history of the State, having enacted more helpful legislation for the benefit of the whole people than any General Assembly in many years, outstanding among the many important laws passed being the following:

1. *The Administrative Reorganization Act.* For thirty years the citizens of Kentucky have been demanding a thorough reorganizaiton of the State Government which would recognize the executive responsibility of the Governor and make it possible for him to be Governor in fact instead of in name only, by enabling him to really govern and to demand and obtain real efficiency and economy in the Government. Such a law has been passed. It reduces administrative departments and agencies of the State Government from seventy-nine to twenty-four; it abolishes many useless offices; it simplifies the Executive Department; it creates an Executive Cabinet composed of certain departmental heads. This law will save large sums of money by reason of economies which can be enforced by virtue thereof.

2. *The Budget and Financial Administration Act.* The people long have sought the enactment of a real budgetary control law and a comprehensive and workable financial code. Such a law has been enacted. It provides for an adequate, unified and integrated system of financial and business administration of the State Government embracing budgeting, accounting, pre-auditing, treasury administration, post-auditing and fiscal reporting. The code provides control of income and expenditures, insures against future treasury deficits, requires all expenditures to be within the income of the State and prevents any unit of the Government from spending one dollar more than its appropriation.

3. *Educational Code.* It required courage and vision for this Legislature to over-ride certain prejudices in order to enact the Educational Code designed to simplify and regulate the school system of Kentucky, to the end that equal educational opportunities may be given all of the children of the State; a law which will be beneficial to the children of the present and future generations. The new School Code may be justly called "A Chapter of Freedom from Ignorance for the Childhood of Kentucky", recognizing and providing, as it does, for the best modern methods in education and giving the children of the State qualified teachers.

4. *Three Million Dollar Farm Land and Real Estate Reduction.* This General Assembly has done a thing which for years representatives, loyal to the best interests of the people, have sought in vain to accomplish. It has taken a large part of the burden of taxation from off the shoulders of farmers and other real estate owners, by reducing the tax on real estate from thirty cents to five cents on the hundred dollars, thereby saving in excess of three million dollars annually to this class of citizens who through all the history of Kentucky have been forced to bear an outrageously unjust proportion of the burden of taxation.

5. *One Million Two Hundred and Fifty Thousand Dollar Auto License Reduction.* A law has been enacted reducing the cost of automobile licenses more than one-third, thereby saving the automobile owners One Million Two Hundred and Fifty Thousand Dollars annually.

6. *Two Hundred and Fifty Thousand Dollar Truck License Reduction.* A law reducing truck licenses has been passed thereby saving truck owners more than Two Hundred and Fifty Thousand Dollars.

7. *Reorganization of County Government.* Several laws have been enacted dealing with the organization of County government which will result in the saving of millions of dollars to the taxpayers of the State.

8. *Uniform Narcotic Law.* A uniform narcotic law

was passed which without increased expense of enforcement places Kentucky in the vanguard of civilized States in the rendition of this great evil.

9. *Amendments Workmen's Compensation Law.* Certain amendments to the Workmen's Compensation law were enacted which insure the erection in Kentucky of several large factories, furnishing employment to many laborers; and,

WHEREAS, this Legislature has broken all precedents in the number of days it has actually held sessions for the consideration of legislation, no time having been wasted by junkets or other frivolities and even during interims when the Legislature was not in actual session, its committees were actively engaged in giving conscientious attention to their duties, yet the time required for the careful study, preparation, and passage of the beneficial laws enumerated above, as well as of the much other remedial legislation enacted has made it impossible for the members of this General Assembly to give proper consideration to the necessary and all important legislation having to do with fiscal affairs, yet such study as has been made of these important matters reveals the fact that many of the members of the General Assembly came to Frankfort with an entirely erroneous idea of the true financial condition of the State, having been deceived by propaganda broadcast by designing and corrupt interests, opposed to the present administration. The real facts have not been revealed to the people, but by garbled statements, the publishing of half truths and by the use of every possible artful wile, these interests have deliberately sought to make the people believe things which are false and untrue about their government and its officials. However, personal investigation has undeceived us. We no longer take as true, the things we are told or which we read in newspapers; and

WHEREAS, it appears from such investigation, that the following conditions exist:

1. The penal and charitable institutions of the State are antiquated, dilapidated and wholly inadequate for the humane care of their inmates; many buildings have gone without paint or repairs for years; heating plants and water systems are suffering from lack of attention; roofs are leaking; the continued neglect of these absolutely essential repairs entail an annual loss of at least Two Hundred and Fifty Thousand ($250,000.00) Dollars; Staffs of these institutions are too small to give other than mere custodial care; confronted with rising costs for all supplies and lowered income, with populations of the institutions the largest in their history, due to the depression, causing all of them to be crowded far beyond their capacity, we declare an extreme emergency to exist, which those of us who can be touched by emotions of sympathy and a desire to relieve suffering and distress, intend to relieve by requiring all the people (not merely the farmer) to pay their proportionate part of the necessary cost thereof.

2. The excellent Children's Home Society at Lyndon is caring for more than twice as many children as ever before with twenty per cent less income.

3. The Kentucky School for the Blind has an increase in students of more than one hundred per cent.

4. Health nurses and sanitary inspectors for communities must be discontinued unless the necessary revenue is provided.

5. Kentucky must continue to lag in the rear in regard to the proper care of those suffering from the curable disease of tuberculosis unless adequate funds are provided.

6. Crippled children must be neglected if the necessary reduction in appropriations are made to bring this important agency within the State's income.

7. The Mammoth Cave National Park appropriation so much desired by all Kentuckians must be postponed unless the necessary revenue is forthcoming.

8. Over and above all else, however, our schools must

suffer unless and until the people of Kentucky demand that the members of the Legislature display the necessary courage and vision to secure for Kentuckians, the educational facilities which can only be obtained through adequate revenue laws. If this is not done, then the $780,000.00 teachers' salary equalization fund appropriation must go and common school teachers can hope to continue to receive only the pittance of from $25.00 to $30.00 per month for their services.

The school fund which amounted to $9.00 per capita in 1932, to $7.00 per capita in 1933, and to $6.00 per capita in 1934 must of necessity be reduced to $2.81 for the fiscal year ending June 30, 1935.

In 1931, the Common School Fund amounted to $6,369,-144.35, in 1933 to $4,956,740.51, and in 1935, it is estimated that it will only amount to $2,054,112.62—a decrease of $4,-315,031.73 over 1931.

9. The State has been required to give warrants in payment for necessary supplies, amounting to approximately Five Million Dollars annually, and since State warrants have been selling, on an average of around eighty cents on the dollar, some selling as low as seventy cents, those selling supplies add approximately twenty per cent to the amount of their bills to take care of the discount on warrants, the State thereby suffering a loss of approximately One Million Dollars annually, because it cannot pay cash.

10. Investigations reveal the further fact that the receipts from all sources of revenue have fallen from $37,336,-561.00 in 1931 to $29,580,748.00 in 1933, an annual decrease in receipts of $7,755,813.00. This large decrease is due to a number of causes, among them being the reduction in the assessed valuation of real and personal property; the reduction in intangible property; the loss on collections of fines and forfeitures (men choosing to go to jail rather than pay their fines); the repudiation of replevin bonds; the great reduction in the amount of fees received; the reduction in taxes on bank deposits; the inability to pay taxes (land sold for taxes

having increased over three hundred per cent); the loss of receipts from prison labor caused by reason of a Federal law, this loss alone amounting to approximately Three Hundred Thousand Dollars.

11. All of these factors uniting have already caused the large reductions in receipts referred to, and when to these are added the decrease in real estate taxes, auto and truck licenses occasioned by recently enacted laws, several million dollars more must be added to the constantly decreasing receipts; and,

WHEREAS, one of the most effective bits of propaganda made use of by certain classes who would avoid paying their just proportion of necessary taxes and who for this purpose willfully deceive the people by falsely stating that no economy has been practiced by the present administration. They rant and rave about waste and extravagance and behind such a smoke screen, they attempt to force the farmer and real estate owner to continue to bear alone the burden of taxation. We have found this propaganda wholly false and untrue, and that it is being published and broadcast by designing, biased and highly prejudiced persons and newspapers and by paid lobbyists representing a highly organized and well financed minority. The truth is, that the present administration of Kentucky has reduced the expenses of operating the State from $40,082,946.00 in 1931 to $34,311,538.00 in 1933, making a reduction in the cost of the Government of $5,771,408.00 per annum. Notwithstanding this enormous reduction, in an editorial appearing recently in a certain highly biased and prejudiced newspaper, the reduction in the cost of government made by a number of other States was pointed out and praised, yet this was done in such an artful and deceptive manner as to make the people of Kentucky believe that no economy had been practiced in Kentucky, when the writer well knew the facts, but did not choose to tell the whole truth as we have found it. The facts are that the reduction in the cost of the Government of Kentucky was

twice as large as that of any State named in the editorial other than California, while the income of all the States named was from three to ten times more than that of Kentucky, thus making our reduction in expenditures proportionately the largest of any State in the Union. We find the expenditures from the general fund alone were $3,184,000.00 less in 1933 than in 1931, but unfortunately the receipts of the general expenditure fund in 1933 were $2,843,000.00 less than in 1931, yet these truths are being deliberately withheld from he public for ulterior purposes; and,

WHEREAS, due to the conditions hereinbefore set out, it appearing to our satisfaction that the expenses of the government of Kentucky have been so greatly cut that it would be thoroughly unwise to reduce them any further and that this with the continuing decrease in receipts makes it absolutely essential, in order that the State government may properly function, for the members of this General Assembly to enact legislation for the purpose of raising the necessary revenue upon which to operate the government, balance its budget and bring its warrants back to par: *Therefore,*

*Be it Resolved by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That it is the sense of the members of this General Assembly that an extraordinary session of the General Assembly is necessary for the purpose of considering legislation having to do solely with the financial affairs of the State Government, and to this end, the Honorable Ruby Laffoon, Governor of Kentucky, is respectfully requested and urged to call the General Assembly of Kentucky into extraordinary session, for the purpose of considering and enacting legislation relating to the following matters:

(a) To make a careful study and survey of the financial needs of every Department, Board, Commission and Agency of the State Government for the purpose of ascertaining the amount of money actually required to properly conduct the affairs of each such governmental agency upon a strictly bu-

siness basis, and to enact the necessary legislation to secure the revenue with which to provide for the payment in cash of the cost of the operation of the government as disclosed by such study and survey.

(b) To provide for the collection and for the proper distribution by appropriation of such revenue among the departments and agencies of the State Government in accordance with their actual needs.

(c) To create a Sinking Fund of at least $1,200,000.00 for the purpose of retiring outstanding State warrants.

(d) To enact such legislation as may be necessary to compel economy in and to safeguard the expenditure of any appropriation, whether now existing or which may hereafter be made by amending or repealing any law or part of a law providing an appropriation for any purpose.

(e) To repeal outright any law providing an appropriation, the purposes of which are deemed unnecessary.

§ 2. *Be it Further Resolved,* that, we the members of the General Assembly do hereby pledge, obligate, and bind ourselves to balance the budget during such extra session and to vote and use all honorable means to enact legislation to obtain this result, either by adopting revenue measures or by the reduction of appropriations, to the end that the expenses of the government may be brought within its income, and as individuals, we solemnly agree to make every honest effort to carry into effect the purposes hereinbefore set out, to accomplish them and then adjourn.

Said resolution was adopted.

The yeas and nays being taken thereon were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Harold L. Barnes | B. F. Bedford |
| Carroll D. Asbury | Robert E. Beatty | Wm. B. Belknap |

| | | |
|---|---|---|
| Reuben J. Boling | J. S. Hall | Clarence Miller |
| Jas. C. Bright | W. Yancey Handy | James B. Milliken |
| Corbett Brown | Judson Harmon | Tyler Munford |
| Frank C. Bruton | Frank Harris | Rodes K. Myers |
| Hugh K. Bullitt | R. M. Harrison, Jr. | Richard H. Nufer |
| Mrs. Cecil Cantrill | J. Joseph Hettinger | Robert A. Persky |
| Charles Chandler | Dr. A. L. Hill | M. D. Phelps |
| J. A. Coleman | John R. Hobbs | Steve Pieratt |
| Joel T. Crenshaw | G. W. Howard | Kleber F. Price |
| Carroll L. Cropper | Ira W. Hulette | G. M. Pritchett |
| G. Cunningham | G. C. Johnson | Waylon Rayburn |
| W. J. Curtis | T. M. Johnson | L. D. Sandlin |
| R. A. Demunbrun | F. P. Kessee | Avery Sartin |
| Garland Embry | J. H. King | Mrs. M. B. Scott |
| Clarence E. Evans | Leo King | Lafe J. Spencer |
| Rudy Ferguson | W. L. Knuckles, Jr. | Lyle C. Tackett |
| T. P. Fitzpatrick | Glenn W. Lane | Elmore J. Thomas |
| J. B. Floyd | Alden L. Love | Harry B. Thornton |
| L. J. Gammon | M. T. McCarthy | J. Sterling Towles |
| W. J. Garnett | George R. McIntosh | Starling B. Tracy |
| Ralph Gilbert | Roy McWaters | Robert E. Webb |
| Ferd A. Gnau | L. B. Meadors | J. B. Wicker |
| C. Gottschalk | G. Samuel Milam | B. M. Williams |

—75

Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | John Kirtley | Pat Rankin |
| O. J. Bowen | Herschel McKinley | Jos. W. Schneider |
| Wallace Brown | C. C. McMasters | Harry Sparks |
| Sidney J. Collins | H. H. Miller | John W. Taylor |
| D. B. Coughlin | James I. Peters | Henry T. Ward |

—15

Dr. Hill moved that said resolution be printed in the amount of ten thousand copies of same.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bill was introduced, viz.:

By Mr. Gilbert:

H. B. 895. An Act relating to the Primary System of Roads and Highways, establishing a road beginning at a point in the State Road 55, near the intersection of the Finchville and Clark's Road in Shelby County, etc.

Ordered that said bill be printed and referred to Committee on Rules.

Mr. Garnett offered the following resolution, viz.:

H. Res. 79. Resolution requesting Governor to appoint Committee to meet and study provisions of an income tax.

Said resolution is as follows, viz:

WHEREAS, the revenue collected by taxation in the State of Kentucky has been insufficient to pay the expenses incurred in the administration of the State government; and,

Whereas, notwithstanding the fact that the cost of administration of the state government has been reduced by some Five Million Dollars, a deficit still continues to appear, and

Whereas, in order that the administration of government in this Commonwealth may continue to function properly, it has become necessary each year to issue interest bearing state warrants against the treasury of this Commonwealth to the sum of about $1,350,000.00, and

Whereas, this practice has continued so long, and without any provision having been made for their retirement that the value of these interest bearing state warrants had depreciated by about 20%, thus compelling the state to accept $800.00 of value for each $1,000.00 of warrants issued; and

Whereas, the assessment on all real estate for state purposes has been reduced from 30 cents per one hundred dollars to 5 cents per one hundred dollars, thus reducing the revenue of the state government by some $3,000,000, thus endangering the very life and existence of our colleges and the public school system of our state, and

Whereas, it has now become evident that some other system of taxation must be devised by this Legislature that will prove to be a more just and equitable system than the one we have just abandoned, and

Whereas, the drafting of an income tax bill is a most intricate and difficult undertaking: *Now, Therefore,*

*Be it Resolved by the General Assembly of the Commonwealth of Kentucky*:

That we do hereby request the Governor of this Commonwealth to appoint a commission of eight members of this Legislature, five of whom are to be selected from the House and three from the Senate, and it shall be their duty, during the time intervening between the close of the present session of the Legislature and the convening of the next called session, to meet at some convenient place for the purpose of discussing, studying and drafting an income tax measure that, in their opinion, would be best suited to the needs of the State of Kentucky.

*Be it Further Resolved,* That this commission may call to their assistance, for counsel and advice, any and all income tax experts which they may deem necessary in perfecting this measure.

Said resolution was adopted.

Dr. Hill moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 689. An Act to repeal and re-enact Chapter 133 of the Acts of the 1932 General Assembly, being Sections 125b-4a, 125b-4b, 125b-4c, 125b-4d, Baldwin's Kentucky Statute Service, 1932 Supplement, creating the office of District Detective to the Commonwealth's Attorney in each judicial district of this Commonwealth, providing the method of appointment, his compensation, prescribing his duties, and tenure of office.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That Chapter 133 of the Acts of the 1932 General Assembly, being Sections 125b-4a, 125b-4b, 125b-4c, 125b-4d, Baldwin's Kentucky Statute Service, 1932 Supplement, be and the same hereby are repealed and re-enacted, so that when re-enacted same shall read as follows:

That there is hereby created the office of District Detective to the Commonwealth's Attorney in each judicial district of this Commonwealth, who shall be appointed by the Commonwealth's Attorney for a term of four (4) years; subject, however, to be removed at any time by the Commonwealth's Attorney.

§ 2. It shall be the duty of said District Detective, to assist the Commonwealth's Attorney in the preparation of all criminal cases in the courts of said district, and to make investigations of facts and circumstances surrounding any violation of the criminal statutes and to report the same to the Commonwealth's Attorney for such action as said attorney may deem necessary. Said detective shall perform such other duties as the said attorney shall, from time to time, designate and shall make his reports in conformity to the directions of the said attorney.

§ 3. Said detective shall have all the powers of a sheriff

and shall make arrests when deemed necessary to protect the public peace or public welfare and shall be and is empowered to administer oaths for the purpose of making investigations concerning the violation of any criminal statute and may, if deemed necessary, go beyond the county lines composing his said District, to make investigations and to perform any duty incumbent upon him.

§ 4. Said District Detective shall be paid a salary of not exceeding ($2,400.00) twenty-four hundred dollars per year to be paid in equal monthly installments from the Treasury of the Commonwealth of Kentucky.

§ 5. All laws and parts of laws in conflict herewith hereby are repealed.

Mr. Asbury offered following amendment to said bill, viz.:

Amend H. B. 689 by adding to line 7, page 1, after "wealth", "when deemed necessary".

Said amendment was agreed to.

Mr. Ward offered the following amendment to said bill, viz.:

Amend H. B. 689, in line 2, Sec. 4, by striking out the figures "$2,400.00" and substituting therefor ($1,800.00".

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | J. B. Floyd | L. B. Meadors |
| Carroll D. Asbury | Kelly J. Francis | G. Samuel Milam |
| Harold L. Barnes | Ferd A. Gnau | Clarence Miller |
| B. F. Bedford | C. Gottschalk | Rodes K. Myers |
| Reuben J. Boling | J. S. Hall | Richard H. Nufer |
| Jas. C. Bright | W. Yancey Handy | Robert A. Persky |
| Corbett Brown | Judson Harmon | M. D. Phelps |
| Frank C. Bruton | R. M. Harrison, Jr. | Waylon Rayburn |
| Mrs. Cecil Cantrill | Dr. A. L. Hill | L. D. Sandlin |
| Charles Chandler | John R. Hobbs | Lyle C. Tackett |
| J. A. Coleman | G. W. Howard | John W. Taylor |
| Sidney J. Collins | Ira W. Hulette | Elmore J. Thomas |
| Carroll L. Cropper | G. C. Johnson | Harry B. Thornton |
| G. Cunningham | T. M. Johnson | J. Sterling Towles |
| W. J. Curtis | F. P. Kessee | Robert E. Webb |
| S. S. Dickson | W. L. Knuckles, Jr. | B. M. Williams |
| Garland Embry | Glenn W. Lane | |
| Rudy Ferguson | George R. McIntosh | —52 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | Ralph Gilbert | Steve Pieratt |
| Marshall Barnes | Frank Harris | Kleber F. Price |
| Robert E. Beatty | J. Joseph Hettinger | G. M. Pritchett |
| Wm. B. Belknap | John Kirtley | Pat Rankin |
| O. J. Bowen | Alden L. Love | W. P. Renfro |
| Wallace Brown | C. C. McMasters | Jos. W. Schneider |
| D. B. Coughlin | Roy McWaters | Harry Sparks |
| Joel T. Crenshaw | J. S. Mattingly | Starling B. Tracy |
| Harry Davis | H. H. Miller | Henry T. Ward |
| R. A. Demunbrun | James B. Milliken | J. B. Wicker |
| George Dunlap | Tyler Munford | |
| Clarence E. Evans | James I. Peters | —36 |

Resolved that the title thereof be as aforesaid.

Mr. Harmon moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 804. An Act providing that the publication of a fair and impartial report or the publication of the whole or a fair synopsis of any bill, report, resolution, bulletin, notice, petition or proceeding before any State Legislative or Executive body, board, or officer, or the publication of any pleading, indictment, warrant or other document in any criminal or civil action or proceeding in any court of competent jurisdiction shall be privileged, unless it shall be proved that such publication was maliciously made.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. The publication of a fair and impartial report of the proceedings before any State Legislative or Executive body, board or officer, or the whole or a fair synopsis of any bill, report, resolution, bulletin, notice, petition, or other document, presented, filed, or used in any proceeding before any State Legislative or Executive body, board or officer, shall be privileged, unless it shall be proved that such publication was maliciously made.

§ 2. The publication of a fair and impartial report or the whole or a fair synopsis of any indictment, warrant, affidavit, pleading or other document in any criminal or civil action or proceeding in any court of competent jurisdiction, shall be privileged unless it is proved that the same was pub-

lished maliciously, or that the defendant has refused or neglected upon request of the plaintiff to publish a reasonable explanation or contradiction thereof, giving the explanation or contradiction the same prominence and space as given the original publication, or that the publisher has refused upon the request of the plaintiff to publish the subsequent determination of such suit or proceeding. Provided, that nothing in this Act shall authorize the publication of any indecent matter.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | S. S. Dickson | J. H. King |
| Carroll D. Asbury | George Dunlap | John Kirtley |
| B. F. Bedford | Garland Embry | W. L. Knuckles, Jr. |
| Wm. B. Belknap | Rudy Ferguson | Glenn W. Lane |
| O. J. Bowen | T. P. Fitzpatrick | Alden L. Love |
| Corbett Brown | J. B. Floyd | George R. McIntosh |
| Frank C. Bruton | Ralph Gilbert | L. B. Meadors |
| Hugh K. Bullitt | Ferd A. Gnau | Clarence Miller |
| Charles Chandler | C. Gottschalk | H. H. Miller |
| J. A. Coleman | W. Yancey Handy | James B. Milliken |
| D. B. Coughlin | Judson Harmon | Tyler Munford |
| Carroll L. Cropper | R. M. Harrison, Jr. | Rodes K. Myers |
| G. Cunningham | Dr. A. L. Hill | Richard H. Nufer |
| W. J. Curtis | G. W. Howard | Robert A. Persky |
| Harry Davis | G. C. Johnson | Steve Pieratt |
| R. A. Demunbrun | T. M. Johnson | Kleber F. Price |

| | | | |
|---|---|---|---|
| Pat Rankin | Harry B. Thornton | Robert E. Webb | |
| W. P. Renfro | J. Sterling Towles | B. M. Williams | |
| Jos. W. Schneider | Starling B. Tracy | | |
| Elmore J. Thomas | Henry T. Ward | | —58 |

Those who voted in the negative were—

| | | | |
|---|---|---|---|
| Levi Baker | Frank Harris | Avery Sartin | |
| Robert E. Beatty | G. M. Pritchett | | —5 |

Resolved that the title thereof be as aforesaid.

Mr. Munford moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 750. An Act to require men and women who have contracted marriage to undergo physical examination at least ten days prior to the date of marriage, and secure a certificate from a reputable physician, a copy thereof to be furnished to the person to whom they are engaged.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That, before any County Clerk in the State shall issue a marriage license, he shall require each of the contracting parties to make an affidavit stating that they have secured a certificate from a physisian duly authorized to practice medicine within the State, made under oath, within ten days from the date of filing same, showing that the persons thus seeking to enter the marriage relation are free from contagious or infectious venereal disease, that neither party has tubercu-

losis, or gives a record of hereditary insanity, feeble-mindedness, or epilepsy, from what doctor it was secured, and when it was delivered to the other contracting party. Unless the affidavit shows that such certificate was delivered as herein provided at least five days prior to the time application was made for license, the clerk shall refuse to issue the license.

False medical certificate given. Any physician who shall knowingly and willingly make a false statement in any certificate issued as herein provided, or any person who shall fail to furnish the certificate as herein provided, shall be punished by a fine of not less than $100.00 nor more than $500.00 for each offense.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | D. B. Coughlin | Judson Harmon |
| Carroll D. Asbury | Carroll L. Cropper | Frank Harris |
| Marshall Barnes | G. Cunningham | Dr. A. L. Hill |
| Robert E. Beatty | W. J. Curtis | Ira W. Hulette |
| B. F. Bedford | Harry Davis | G. C. Johnson |
| Wm. B. Belknap | S. S. Dickson | T. M. Johnson |
| Jas. C. Bright | George Dunlap | Leo King |
| Corbett Brown | Clarence E. Evans | John Kirtley |
| Wallace Brown | Rudy Ferguson | W. L. Knuckles, Jr. |
| Mrs. Cecil Cantrill | T. P. Fitzpatrick | Glenn W. Lane |
| Charles Chandler | J. B. Floyd | Alden L. Love |
| J. A. Coleman | C. Gottschalk | George R. McIntosh |

| | | |
|---|---|---|
| H. H. Miller | G. M. Pritchett | Starling B. Tracy |
| James B. Milliken | W. P. Renfro | Henry T. Ward |
| Tyler Munford | L. D. Sandlin | Robert E. Webb |
| Robert A. Persky | Jos. W. Schneider | J. B. Wicker |
| M. D. Phelps | Mrs. M. B. Scott | B. M. Williams |
| Kleber F. Price | J. Sterling Towles | —53 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Marshall Barnes | Roy McWaters | John W. Taylor |
| J. Joseph Hettinger | L. B. Meadors | Elmore J. Thomas |
| Herschel McKinley | Avery Sartin | —8 |

Resolved that the title thereof be as aforesaid.

Mrs. Cantrill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 303. An Act to amend and re-enact Section 3187 of Carroll's Kentucky Statutes, 1930 edition, relating to the sale of real estate for taxes, for cities of the second class.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That Section 3187 of Carroll's Kentucky Statutes, 1930 Edition, be amended and re-enacted so that said section as amended and re-enacted shall read as follows:

Section 3187. Sale of real estate for taxes; procedure. —On the second Monday in December of each year, or as soon thereafter as practicable, the treasurer shall sell a sufficient amount of the real estate, whether the same be encum-

bered or not, of each delinquent taxpayer to satisfy and discharge all unpaid taxes of such delinquent with interest and penalties thereon and the further sum of two dollars ($2.00) for the cost of advertisement and sale. Said sale shall be made to the highest and best bidder for cash at public auction at or about noon, at the main entrance of the city building. One or more parcels of real estate may be sold for all of the taxes of the delinquent whether the same be for taxes on the real estate sold or for the taxes on other real estate, real or personal. When a parcel of real estate is offered for sale, the treasurer will inquire if anyone will buy an interest therein, less than the whole thereof, and pay the taxes, interest, penalty and costs thereon, and he will sell only so much thereof or such an interest therein as will produce the amount to be realized. If no one will take less than the whole of the property and pay the taxes, interest, penalties and cost thereon, he will sell the whole of the property. If no one will bid said amount, it shall be the duty of the treasurer to purchase the property for the amount of said taxes, interest, penalties and costs. If one or more persons, own a life estate or other particular estate in the property sold with remainder over to others, the treasurer will first offer the particular estate for sale, and if no one will bid enough therefor to pay the taxes, interest, penalties and cost, he will then sell the whole property. Except as otherwise provided herein, said sale shall be made in the same manner that real estate is sold by sheriffs under execution, except that no levy or appraisal shall be necessary. Should any person purchase property at such sale, and then fail to pay for same, the treasurer shall immediately resell the property. Real estate sold for delinquent taxes may be resold, in like manner, for taxes for succeeding years. If, for any reason, real estate is not sold at the time fixed in this section, it may be advertised and sold at any time thereafter in the manner herein provided. Before making said sale, the treasurer will cause three notices thereof to be published in the official newspaper of

the city during the two weeks period just preceding the day of sale, showing the time, place and terms of the sale, the names of delinquent taxpayers, numbers of the tax bills, the total amount of taxes, interest, penalties and costs due on each bill, and a brief description, by lot and block numbers as shown on the city maps, or by such other descriptions, sufficiently accurate to identify each parcel of property to be sold. Within thirty days after the sale the treasurer shall cause to be delivered to each delinquent whose real estate has been sold, or if the delinquent be an infant or a person of unsound mind or a nonresident, then to his guardian, committee or agent, a written notice of the sale, the time within which the property can be redeemed and the amount required to redeem it. If notice is not served within thirty days, it may be served as soon thereafter as practicable; provided, that if the notice is not given six months before the expiration of the period of redemption as provided in Section 3187b, then such period of redemption shall be extended until six months after the service of such notice, but failure to give notice shall not defer the purchaser's right to possession as provided in Section 3187c. Such notice may be executed by any police officer of the city or any other officer or person authorized by law to serve a notice. Any purchaser of property sold for taxes may cause such notice to be given with the same effect as if given by the treasurer. In either case the notice with the officer's written return thereon, showing the time and manner of service, shall be returned to the treasurer's office and recorded in a book provided for that purpose and be preserved therein. In no event shall a deed be executed to a purchaser when notice has not been given as required. All moneys received by the treasurer for property sold for taxes under this and preceding section, including money collected for costs, shall be promptly accounted for and paid over by him to the city in the same manner as taxes collected in the usual and regular way.

§ 2. This act shall take effect and be in force from and after its passage.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Garland Embry | Clarence Miller |
| Harold L. Barnes | T. P. Fitzpatrick | H. H. Miller |
| Marshall Barnes | J. B. Floyd | James B. Milliken |
| B. F. Bedford | Ferd A. Gnau | Tyler Munford |
| Wm. B. Belknap | J. S. Hall | Richard H. Nufer |
| Reuben J. Boling | Judson Harmon | Robert A. Persky |
| O. J. Bowen | Frank Harris | M. D. Phelps |
| Corbett Brown | J. Joseph Hettinger | Steve Pieratt |
| Frank C. Bruton | Dr. A. L. Hill | Kleber F. Price |
| Mrs. Cecil Cantrill | G. C. Johnson | G. M. Pritchett |
| Charles Chandler | T. M. Johnson | W. P. Renfro |
| J. A. Coleman | Leo King | L. D. Sandlin |
| D. B. Coughlin | John Kirtley | Jos. W. Schneider |
| Joel T. Crenshaw | Glenn W. Lane | J. Sterling Towles |
| Carroll L. Cropper | Alden L. Love | Starling B. Tracy |
| W. J. Curtis | M. T. McCarthy | Henry T. Ward |
| Harry Davis | George R. McIntosh | Robt. E. Webb |
| R. A. Demunbrun | C. C. McMasters | B. M. Williams |
| S. S. Dickson | Roy McWaters | |
| George Dunlap | L. B. Meadors | —58 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Robert E. Beatty | J. S. Mattingly | John W. Taylor |
| Herschel McKinley | Harry Sparks | —5 |

Resolved that the title thereof be as aforesaid.

Mr. Milliken moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed resolutions and a bill which originated in the Senate entitled:

S. Res. 56. Resolution for the benefit of the ministers of the churches of Frankfort.

S. Res. 39. Resolution authorizing the personal representative of William Dexter Lantrip to sue the Commonwealth.

S. B. 336. An Act appropriating $5,000.00 out of the general fund for the purpose of erecting a statute of Jefferson Davis, to be located at Frankfort, Kentucky, etc.

Ordered that said bills be printed and referred to Committee on Rules.

And that they had passed bills which originated in this House entitled:

H. B. 495. An Act to repeal and re-enact Sections 125b-1 and 125b-5, Kentucky Statutes, Carroll's 1930 Edition, both sections affecting the office of Commonwealth's Attorney.

H. B. 182. An Act to appropriate to school teachers in 43 counties of the Commonwealth, the amount due such teachers. With an amendment thereto, as proposed by the Senate.

H. B. 231. An Act to amend and re-enact Sections 3, 5, 6, 8, 9, 13 and 15 of Chapter 155 of the Acts of 1920, entitled: "An Act to establish an Athletic Board of Control, etc."

With an amendment thereto, as proposed by the Senate.

Ordered that said bills with the amendments thereto, be referred to the Committee on Rules.

H. Res. 3. Resolution for the payment of money for expenses to B. P. Walker, Agent for the Governor.

H. B. 473. An Act to empower and direct the Commissioner of Agriculture, Labor and Statistics to establish and promulgate official standard grades for tobacco.

H. B. 376. An Act to prohibit the manufacture, sale, transportation, possession or other disposition of spirituous, vinous or intoxicating malt liquors, except for medicinal purposes, etc.

Ordered that said bills and resolution be delivered to the Enrolling Clerk of this House, with the exception of those specifically set out above.

Mr. Love of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

H. B. 230. An Act providing for the acquiring, reconstructing, etc., of passways in the State.

H. B. 327. An Act to designate June 30 of each year as date on which payment of occupational license falls due, etc.

H. B. 145. An Act to authorize County Clerks, as *ex officio* county librarians, to give the University of Kentucky certain library and historical records.

H. B. 531. An Act relating to the investment of funds by fiduciaries.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon, the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that the Enrolling Clerk of this House deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bills duly signed by the President of the Senate into the possession of the Chief Clerk.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

At the hour of six o'clock P. M., Dr. Hill moved that the House do now recess until seven-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

## NIGHT SESSION

The hour of seven-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

A message was received from the Senate announcing that they had passed a bill which originated in this House, entitled:

H. B. 198. An Act relating to revenue and taxation, providing for an excise tax on the manufacturing business or

occupation of manufacturing and/or selling and/or transporting distilled spirits; etc.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 794. An Act to amend Section 938d of the Kentucky Statutes, Carroll's Edition, 1930, relating to county libraries.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That Section 938d, Kentucky Statutes, John D. Carroll's Edition, 1930, be and the same is hereby amended by adding thereto the following section, to be known as Section 938d-8:

The fiscal court of any county wherein a county free library has been established shall have full power and authority to enter into contracts or agreements with the fiscal court of any other county or counties to secure to the residents of such other county or counties such privileges of such county free library as may, by such contract, be agreed upon and upon such consideration as may in said contract be agreed upon, the same to be paid into the county free library fund, and thereupon the inhabitants of such other county shall have such privileges of such county free library as may by such contract be agreed upon; and the fiscal court of such county shall have full power and authority to enter into a contract with the fiscal court of another county wherein a county free library has been established under the provisions of this Act, as in this section provided, and shall have power to levy a library tax, as in this Act provided, for the purpose of carrying out such contract, but the making of such contract shall

not bar the fiscal court of such county, during the continuance of such contracts, from establishing a county free library therein under the provisions of this Act, if none be already established therein, and upon the establishment of such county free library, such contract may be terminated upon such terms as may be agreed upon by the parties thereto, or may continue for the term thereof.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | R. A. Demunbrun | C. C. McMasters |
| Carroll D. Asbury | S. S. Dickson | L. B. Meadors |
| Marshall Barnes | George Dunlap | Clarence Miller |
| Robert E. Beatty | Garland Embry | H. H. Miller |
| Wm. B. Belknap | T. P. Fitzpatrick | James B. Milliken |
| O. J. Bowen | C. Gottschalk | Tyler Munford |
| Jas. C. Bright | J. S. Hall | Richard H. Nufer |
| Corbett Brown | Frank Harris | Waylon Rayburn |
| Wallace Brown | R. M. Harrison, Jr. | W. P. Renfro |
| Frank C. Bruton | J. Joseph Hettinger | L. D. Sandlin |
| Charles Chandler | Ira W. Hulette | Avery Sartin |
| J. A. Coleman | G. C. Johnson | Jos. W. Schneider |
| D. B. Coughlin | T. M. Johnson | Elmore J. Thomas |
| Joel T. Crenshaw | W. L. Knuckles, Jr. | Starling B. Tracy |
| Carroll L. Cropper | Glenn W. Lane | Henry T. Ward |
| W. J. Curtis | Alden L. Love | Robert E. Webb |
| Harry Davis | George R. McIntosh | B. M. Williams |

—51

There voted in the negative—

J. S. Mattingly —1

Resolved that the title thereof be as aforesaid.

Mr. Demunbrun moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 854. An Act to amend and re-enact Chapter 127 of the Acts of the General Assembly of the Commonwealth of Kentucky, of 1922, entitled: "An Act amending and re-enacting Section 584, Kentucky Statutes (Carroll's 1915 Edition), relating to deposits in banks, amount to be kept on hand and defining time and demand deposits."

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That Chapter 127 of the Acts of the General Assembly of 1922 be, and the same is hereby amended and re-enacted, so that said chapter, when so amended and re-enacted, shall read as follows:

Section 584. Each bank and trust company, organized under the laws of this Commonwealth and authorized by law to receive deposits, shall keep on hand, at all times, at least seven per cent of its total demand deposits, and three per cent of its total time and saving deposits; and in cities which are reserve or central reserve cities, under the act of Congress of December 23, 1913, known as the Federal Reserve Act, at least ten per cent in reserve cities and thirteen per

cent in central reserve cities, of its total demand deposits and three per cent of its total time and savings deposits; said reserve may consist of balances due from other banks and subject to call. Demand deposits, within the meaning of this section, shall comprise all deposits payable within thirty days, and time deposits shall comprise all deposits payable after thirty days and all savings accounts and certificates of deposit which are subject to not less than thirty days' notice before payment. Nothing in this section shall be construed as authorizing any institution, not authorized to do so by other provisions of law, to receive deposits or do a banking business.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Carroll L. Cropper | Ralph Gilbert |
| Marshall Barnes | W. J. Curtis | Ferd A. Gnau |
| Robert E. Beatty | Harry Davis | C. Gottschalk |
| Wm. B. Belknap | R. A. Demunbrun | J. S. Hall |
| Reuben J. Boling | S. S. Dickson | W. Yancey Handy |
| O. J. Bowen | George Dunlap | Judson Harmon |
| Jas. C. Bright | Garland Embry | Frank Harris |
| Corbett Brown | Clarence E. Evans | R. M. Harrison, Jr. |
| Wallace Brown | Rudy Ferguson | J. Joseph Hettinger |
| Frank C. Bruton | T. P. Fitzpatrick | Dr. A. L. Hill |
| J. A. Coleman | W. J. Garnett | Ira W. Hulette |

| | | |
|---|---|---|
| G. C. Johnson | Rodes K. Myers | Harry Sparks |
| J. H. King | Richard H. Nufer | Lyle C. Tackett |
| Leo King | Robert A. Persky | John W. Taylor |
| John Kirtley | James I. Peters | Elmore J. Thomas |
| W. L. Knuckles, Jr. | M. D. Phelps | Starling B. Tracy |
| Glenn W. Lane | Steve Pieratt | Henry T. Ward |
| Alden L. Love | Kleber F. Price | Robert E. Webb |
| C. C. McMasters | W. P. Renfro | J. B. Wicker |
| J. S. Mattingly | L. D. Sandlin | B. M. Williams |
| H. H. Miller | Avery Sartin | |
| James B. Milliken | Jos. W. Schneider | —64 |

Resolved that the title thereof be as aforesaid.

Mr. Marshall Barnes moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 844. An Act repealing, amending and re-enacting Section 331-e-3 of Carroll's Kentucky Statutes and relating particularly to the appointment and compensation of Probation Officers in the various counties of the commonwealth and to the appointment and compensation of Probation Officers in counties having a city of the first class and providing for the appointment and compensation and fixing the qualifications and powers and duties of a Commissioner for Juvenile matters in such counties.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That Section 331-e-3 of Carroll's Kentucky Statutes is

hereby repealed, amended and re-enacted, so that when so amended and re-enacted the said Section shall read as follows:

The county courts of the several counties of this State shall have authority to appoint or designate one or more discreet persons of good moral character to serve as volunteer probation officers during the pleasure of the court without any compensation whatsoever. In counties having a city of the second class the county court may appoint one probation officer, who shall be designated as chief probation officer and who shall receive a salary of not exceeding $2,400.00 per annum, to be fixed by the county judge; one or more assistant probation officers, one of whom shall receive a salary of not exceeding $1,200.00 per annum, and all other assistants so appointed shall receive a salary of not exceeding $1,000.00 per annum, such salaries to be fixed by the judge of the county court. Such salaried probation officers shall be allowed their actual and necessary expenses incurred in the performance of their duties; said salaries and expenses to be paid as provided herein. All such salaried probation officers shall have all the powers of sheriffs and county patrolmen in making arrests.

In counties having a city of the first class the county court may appoint one probation officer who shall be designated as Chief Probation Officer and who shall receive a salary of not exceeding $3,000.00 per annum, to be fixed by the county judge; one or more assistant probation officers, two of whom shall receive a salary of not exceeding $2,400.00 per annum, two of whom shall receive a salary of not exceeding $1,800.00 per annum, and all other assistants so appointed shall receive a salary of not exceeding fifteen hundred ($1,500.00) Dollars per annum, such salaries to be fixed by the judge of the county court. Such salaried probation officers shall be allowed their actual and necessary expenses incurred in the performance of their duties; said salaries and expenses to be paid as provided herein. All such salaried

probation officers shall have all the powers of sheriffs and county patrolmen in making arrests.

The salaries and the reimbursements for expenses of the probation officers provided for herein shall be paid out of available funds of the county and the said salaries shall be paid in equal monthly installments.

The county court in each county wherein is located a city of the first class is hereby authorized to appoint a commissioner for juvenile matters, who shall hold office at the pleasure of the county court judge and who shall have all powers and authority of a salaried probation officer and in addition shall discharge such duties, relative to matters cognizable before the juvenile sessions of the county court, as may be assigned to him by the county judge. The commissioner shall report his actions to the county judge for approval or disapproval. The commissioner shall possess the qualifications required of county judges, and shall receive a salary not exceeding $3,600.00 per annum, such salary to be fixed by the county judge and which shall be paid out of the available funds of the county in equal monthly installments.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Reuben J. Boling | Wallace Brown |
| Marshall Barnes | O. J. Bowen | Charles Chandler |
| Robert E. Beatty | Jas. C. Bright | J. A. Coleman |
| Wm. B. Belknap | Corbett Brown | Joel T. Crenshaw |

| | | |
|---|---|---|
| Carroll L. Cropper | Dr. A. L. Hill | Robert A. Persky |
| G. Cunningham | Ira W. Hulette | M. D. Phelps |
| Harry Davis | G. C. Johnson | Steve Pieratt |
| R. A. Demunbrun | T. M. Johnson | Kleber F. Price |
| S. S. Dickson | J. H. King | W. P. Renfro |
| George Dunlap | Leo King | L. D. Sandlin |
| Garland Embry | John Kirtley | Avery Sartin |
| Clarence E. Evans | W. L. Knuckles, Jr. | Jos. W. Schneider |
| Rudy Ferguson | Glenn W. Lane | Harry Sparks |
| Ralph Gilbert | Alden L. Love | Lyle C. Tackett |
| Ferd A. Gnau | George R. McIntosh | John W. Taylor |
| C. Gottschalk | C. C. McMasters | Elmore J. Thomas |
| J. S. Hall | Clarence Miller | Starling B. Tracy |
| W. Yancey Handy | H. H. Miller | Henry T. Ward |
| Judson Harmon | James B. Milliken | Robert E. Webb |
| Frank Harris | Tyler Munford | J. B. Wicker |
| R. M. Harrison, Jr. | Rodes K. Myers | B. M. Williams |
| J. Joseph Hettinger | Richard H. Nufer | —65 |

Resolved that the title thereof be as aforesaid.

Mr. Persky moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 776. An Act to repeal, amend and re-enact Section 2246 of the Kentucky Statutes, and providing that jurors may be summoned by telephone or registered letter.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

Within twenty days of the date to which said grand and

petit jurors are to be summoned, the clerk shall open the envelopes containing the lists and make out fair copies of such lists of grand and petit jurors, and deliver the same to the sheriff, who shall, at least three days prior to the next term or date to which they are to be summoned, summon the persons to attend, grand jurors on the first and petit jurors on the second day of the term, except that in cases of courts having continuous sessions said persons shall be summoned to attend on the first Monday in the month for which they were drawn. The sheriff or other officer summoning such persons shall do so by giving to each one found personal notice, and to each one not found by leaving a written notice at the juror's place of residence with some member of his family over sixteen years of age; provided, however, he may summon such persons by telephone or registered letter. The lists shall be returned by the sheriff on the first day of the term; or, in cases of courts having continuous sessions, on the day to which the jurors are summoned with a certificate thereon of the date and manner in which each juror was summoned, from which lists, respectively, the regular panels of the grand and petit juries shall be selected in order in which their names appear thereon.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | O. J. Bowen | Corbett Brown |
| Wm. B. Belknap | Jas. C. Bright | Wallace Brown |

| | | |
|---|---|---|
| J. A. Coleman | J. Joseph Hettinger | Robert A. Persky |
| Joel T. Crenshaw | Dr. A. L. Hill | M. D. Phelps |
| Carroll L. Cropper | G. C. Johnson | Steve Pieratt |
| Harry Davis | T. M. Johnson | Kleber F. Price |
| S. S. Dickson | J. H. King | L. D. Sandlin |
| George Dunlap | Leo King | Avery Sartin |
| Garland Embry | John Kirtley | Jos. W. Schneider |
| Clarence E. Evans | W. L. Knuckles, Jr. | Harry Sparks |
| Rudy Ferguson | Glenn W. Lane | Lyle C. Tackett |
| T. P. Fitzpatrick | Alden L. Love | Starling B. Tracy |
| W. J. Garnett | C. C. McMasters | Henry T. Ward |
| J. S. Hall | J. S. Mattingly | Robt. E. Webb |
| W. Yancey Handy | L. B. Meadors | J. B. Wicker |
| Judson Harmon | H. H. Miller | B. M. Williams |
| Frank Harris | James B. Milliken | |
| R. M. Harrison, Jr. | Rodes K. Myers | —52 |

Resolved that the title thereof be as aforesaid.

Mr. Love moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 894. An Act to amend Section 2223b-2, Kentucky Statutes, Carroll's 1930 Edition relating to the incorporation of industrial banks by making said Act applicable to cities of the third class.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

§ 1. That the words "and third" be inserted immediately following the word "second" and immediately before

the word "class" in the fourth line of said Section as printed in said statute, so that said Section, when amended and re-enacted, shall read as follows:

Any number of persons not less than five may associate to establish a loan and investment company in cities of the first and second and third classes upon the terms and conditions and subject to the liabilities prescribed in this act. The name of any corporation formed under this act may contain the words "industrial bank," but said name shall not be that of any other existing corporation of this state, and it shall not be necessary for any corporation organized under the provisions of this act to use the word "incorporated" in addition to its corporate name, either in its place of business or on any printed or advertising matter. The capital stock of any such loan and investment company shall not be less than twenty-five thousand dollars ($25,000.00) fifty per cent (50%) of which shall be paid in cash before any such corporation shall be authorized to transact any business other than such as relates to its formation and organization, and the remainder of the capital stock shall be paid in in money within one year after the loan and investment company is authorized to commence business at such times and in such amounts as the directors may require.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen Harold L. Barnes Marshall Barnes

| | | |
|---|---|---|
| Wm. B. Belknap | W. Yancey Handy | W. H. Miller |
| Reuben J. Boling | Judson Harmon | James B. Milliken |
| O. J. Bowen | R. M. Harrison, Jr. | Waylon Rayburn |
| Jas. C. Bright | J. Joseph Hettinger | W. P. Renfro |
| Wallace Brown | Dr. A. L. Hill | L. D. Sandlin |
| Charles Chandler | G. C. Johnson | Avery Sartin |
| J. A. Coleman | T. M. Johnson | Jos. W. Schneider |
| Carroll L. Cropper | J. H. King | Harry Sparks |
| G. Cunningham | Leo King | Elmore J. Thomas |
| R. A. Demunbrun | John Kirtley | Harry B. Thornton |
| S. S. Dickson | W. L. Knuckles, Jr. | Starling B. Tracy |
| Garland Embry | Glenn W. Lane | Robert E. Webb |
| Clarence E. Evans | Alden L. Love | J. B. Wicker |
| Rudy Ferguson | C. C. McMasters | B. M. Williams |
| W. J. Garnett | J. S. Mattingly | |
| Ralph Gilbert | L. B. Meadors | —49 |

There voted in the negative—

H. H. Miller —1

Resolved that the title thereof be as aforesaid.

Mr. Leo King moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 57. Resolution for the benefit of Jodie Oliver, etc., employees engaged to keep the State Capitol clean.

Said resolution is as follows, viz.:

WHEREAS, the above named employees have had their work materially increased during the present session of the General Assembly of the Commonwealth of Kentucky, and

have worked overtime to keep the State Capitol clean for said session,

*Be it Resolved by the General Assembly of the Commonwealth of Kentucky*:

That said Jodie Oliver, Howard Black and Browning Green, be each allowed the sum of $1.00 per day for each day of the present session of this General Assembly, which allowance shall be in addition to what they now receive for their services, as above set out.

All of said amounts to be paid by the Treasurer on warrant drawn on him by the Auditor of Public Accounts out of any funds not otherwise appropriated.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Rudy Ferguson | Ira W. Hulette |
| Robert E. Beatty | L. J. Gammon | G. C. Johnson |
| Reuben J. Boling | Ferd A. Gnau | T. M. Johnson |
| Jas. C. Bright | C. Gottschalk | J. H. King |
| Corbett Brown | J. S. Hall | Leo King |
| Wallace Brown | W. Yancey Handy | John Kirtley |
| Frank C. Bruton | Judson Harmon | W. L. Knuckles, Jr. |
| Charles Chandler | Frank Harris | Glenn W. Lane |
| J. A. Coleman | R. M. Harrison, Jr. | M. T. McCarthy |
| Carroll L. Cropper | J. Joseph Hettinger | George R. McIntosh |
| G. Cunningham | Dr. A. L. Hill | Roy McWaters |
| S. S. Dickson | G. W. Howard | L. B. Meadors |

| | | |
|---|---|---|
| James B. Milliken | Kleber F. Price | Lafe J. Spencer |
| Tyler Munford | G. M. Pritchett | Lyle C. Tackett |
| Rodes K. Myers | Waylon Rayburn | Elmore J. Thomas |
| Richard H. Nufer | L. D. Sandlin | Starling B. Tracy |
| Robert A. Persky | Avery Sartin | B. M. Williams |
| M. D. Phelps | Jos. W. Schneider | —53 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Wm. B. Belknap | Ralph Gilbert | Mrs. M. B. Scott |
| Joel T. Crenshaw | Alden L. Love | John W. Taylor |
| R. A. Demunbrun | C. C. McMasters | Henry T. Ward |
| George Dunlap | J. S. Mattingly | Robert E. Webb |
| Garland Embry | H. H. Miller | |
| Clarence E. Evans | Steve Pieratt | —16 |

Resolved that the title thereof be as aforesaid.

Mr. Munford moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were reported, viz.:

S. B. 413. An Act to re-create the Nine Road Commission districts.

S. B. 207. An Act to repeal and re-enact Section 1697 Carroll's Kentucky Statutes, Baldwin's 1933 Supplement and repeal Section 1698 relating to personal exemptions of families.

S. B. 152. An Act to prevent the destruction or marring of trees, shrubs and flora, etc.

S. B. 366. An Act to abolish the Department of Liberty

and Archives created by Article 20 of the Administrative Reorganization Act; etc.

S. Res. 56. Resolution for the benefit of the ministers of the churches of Frankfort.

S. Res. 39. Resolution authorizing the personal representative of Wm. Lantrip to sue the Commonwealth.

S. B. 336. An Act appropriating $5,000.00 out of the general fund for the purpose of erecting statue of Jefferson Davis in Capitol Building, etc.

S. Res. 38. Resolution authorizing Albert H. Bowen and Rosa Bowen to sue the Commonwealth.

S. B. 200. An Act relating to the licensing of motor vehicles; providing that the use of the license of any State other than Kentucky by a resident of this Commonwealth.

S. B. 217. An Act repealing and re-enacting Section 2739g-62, Carroll's Kentucky Statutes, 1930 Edition, fixing the duties of the county court clerks in all counties of the Commonwealth.

With the expression of opinion that said bills and resolutions ought to pass.

Said bills and resolutions were severally read at length the first time and ordered to be placed on the Calendar.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

S. B. 342. An Act to amend and re-enact Section 772a, Subsections 1 to 4 inclusive, of Carroll's Kentucky Statutes, of 1928, being Chapter 18, etc.

S. Res. 23. Resolution authorizing William E. Clare to sue the Commonwealth.

S. B. 105. An Act to amend and re-enact Section 1 of an Act providing for the renewal of franchises of Public Utilities in cities of the 2nd, 3rd, 4th, 5th and 6th classes.

S. B. 298. An Act to amend Section 864, 864a, 864b and 865a of Carroll's Kentucky Statutes of 1930, providing for the method of withdrawal of shares in building and loan associations, etc.

S. B. 304. An Act to repeal and re-enact Section 373 of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, relating to the bonds to be executed by circuit and county court clerks.

S. B. 321. An Act providing additional duties of the County Treasurer in counties of less than 50,000 inhabitants.

S. B. 330. An Act to regulate, control and fix standard weights of wheat flour and the size of packages containing same; and to provide penalties for the violation of this Act.

S. B. 361. An Act to regulate toll bridges and ferries and providing penalties.

S. B. 410. An Act repealing and re-enacting Section 1992a-26 Carroll's Kentucky Statutes, Baldwin's 1930 Revision relating to appropriations, etc.

S. B. 253. An Act to repeal, amend and re-enact Section 2095b-13a Kentucky Statutes, Carroll's 1930 Edition, fixing the ages of minor children, etc.

S. Res. 68. Resolution of appreciation of public service by the Hon. Ben Miles.

S. B. 247. An Act relating to the fiscal administration of counties; providing for a uniform budget system.

S. B. 350. An Act to amend the Constitution of the Commonwealth of Kentucky, relating to old age pensions.

Ordered, that said bills be read the second time.

The Constitutional provision as to the second reading of said billls at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Evans moved that the privilege of the floor be extended to the Honorable Walter Sebastian, former member of this House.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 357. An Act providing that the county treasurer of each county, by virtue of his office, shall be the collector of all state, county, and district taxes and other charges due the county; transferring all such powers and duties of the sheriff and other collecting officers of counties to the county treasurer; providing for the collection of charges of certain descriptions by other officers but for their current deposit in the treasury; providing that the county treasurer shall collect the taxes of cities, towns, and other taxing districts on request of the governing bodies thereof; providing for the withdrawal of funds from the treasury only upon warrant as therein provided; repealing and re-enacting Section 4129,

Kentucky Statutes, Carroll's 1930 Edition, and Section 12 of Chapter 24 of the acts of the General Assembly of 1932.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. Section 4129, Kentucky Statutes, Carroll's 1930 Edition, is hereby repealed and re-enacted to read as follows:

Section 4129. The county treasurer, by virtue of his office, shall be the collector of all state, county, and district taxes, and of all other debts and charges due the county or for the collection of which the county is responsible, except as otherwise expressly provided in this act. The powers and duties in relation to the collection of taxes heretofore vested in the sheriffs, county court clerks, and any other county officers, are hereby transferred to and vested in the county treasurers except as herein provided.

§ 2. Upon request of any city, town, or other taxing district and due certification to him of the tax levies thereof, the county treasurer shall undertake and perform the duty of collecting all taxes levied by authority of such city, town or other taxing district. So far as practicable the taxes so levied shall be calculated and extended on the same tax bills as the state and county taxes, and shall be collected therewith. The county treasurer is hereby authorized to make such charges for such service on behalf of the county as are now provided for the collection of state and county taxes and subject to the provisions of law now applicable thereto. All money received in payment of such charges shall be deposited in the county treasury for the benefit of the county.

§ 3. Fees and other charges for licenses, permits, certificates, or services of any kind, including fees authorized as compensation for public officers, so far as practicable, shall be collected at the times such licenses, permits, or certificates are issued, or such services are rendered, by the agencies is-

suing or performing them. The proceeds of all such collections shall be deposited daily in the county treasury as provided by law. In every case in which fees or other charges, including taxes levied, are not so collected, the agency concerned shall forthwith render a bill or account to the person liable for the amount due and furnish a copy or schedule thereof, as the county comptroller may specify, to the county treasurer and one to the county comptroller. The treasurer shall actively prosecute the collection of all such charges in every practicable way. Wherever in any law of the state any county officer or agent, other than the treasurer, is authorized or required to collect any money on behalf of the county, otherwise than in accordance with the provisions of this section, such authorization or requirement shall be deemed to refer to the county treasurer who shall collect all such moneys, in accordance with this section, without extra compensation therefor beyond the regular compensation of his office as provided by law.

§ 4. Section 12 of Chapter 24 of the acts of the General Assembly of 1932, is hereby repealed and re-enacted to read as follows:

Sec. 12. The county treasurer shall, by virtue of his office, be the exclusive custodian of all county funds and funds for which the county is responsible from whatsoever source derived. All county funds and funds for which the county is responsible shall be deposited in the depository bank or banks designated as provided by law and shall be withdrawn therefrom only on warrant by the county, signed by the county court clerk, or other clerk of the fiscal court, and countersigned by the county treasurer, as provided by law.

§ 5. If any part of this act shall be held to be invalid, every other part of the act not so held shall continue to be in full force and effect.

§ 6. All laws or parts of laws inconsistent with this act, are hereby repealed.

§ 7. This act shall take effect on the first day of July, 1934.

Mr. Handy offered the following amendment to said bill, viz.:

Amend H. B. 357 by striking out the words "This Act shall take effect on the first day of July, 1934", in Section 7, and substituting the words "This Act shall take effect at the end of the terms of office of the incumbent officers affected by it."

Said amendment was agreed to.

Dr. Hill moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

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WEDNESDAY, MARCH 14, 1934.

The House was opened with prayer by the Reverend L. B. Meadors, of the county of Whitley.

The roll was called and the following members answered to their names, viz.:

| | | |
|---|---|---|
| Henry H. Allen | Reuben J. Boling | J. A. Coleman |
| Carroll D. Asbury | O. J. Bowen | D. B. Coughlin |
| Levi Baker | Jas. C. Bright | Joel T. Crenshaw |
| Harold L. Barnes | Corbett Brown | Carroll L. Cropper |
| Marshall Barnes | Wallace Brown | G. Cunningham |
| Robert E. Beatty | Hugh K. Bullitt | W. J. Curtis |
| B. F. Bedford | Mrs. Cecil Cantrill | Harry Davis |
| Wm. B. Belknap | Charles Chandler | R. A. Demunbrun |

| | | |
|---|---|---|
| S. S. Dickson | G. C. Johnson | Tyler Munford |
| George Dunlap | T. M. Johnson | Rodes K. Myers |
| Garland Embry | F. P. Kessee | Robert A. Persky |
| Clarence E. Evans | J. H. King | M. D. Phelps |
| Rudy Ferguson | Leo King | Steve Pieratt |
| T. P. Fitzpatrick | John Kirtley | Kleber F. Price |
| J. B. Floyd | W. L. Knuckles, Jr. | G. M. Pritchett |
| Kelly J. Francis | Glenn W. Lane | Waylon Rayburn |
| L. J. Gammon | Alden L. Love | L. D. Sandlin |
| W. J. Garnett | M. T. McCarthy | Avery Sartin |
| Ralph Gilbert | George R. McIntosh | Jos. W. Schneider |
| Ferd A. Gnau | Herschel McKinley | Mrs. M. B. Scott |
| C. Gottschalk | C. C. McMasters | Harry Sparks |
| J. S. Hall | Roy McWaters | Lafe J. Spencer |
| W. Yancey Handy | C. C. May | Lyle C. Tackett |
| Judson Harmon | J. S. Mattingly | Harry B. Thornton |
| R. M. Harrison, Jr. | L. B. Meadors | Starling B. Tracy |
| J. Joseph Hettinger | G. Samuel Milam | Henry T. Ward |
| Dr. A. L. Hill | Clarence Miller | Robert E. Webb |
| John R. Hobbs | H. H. Miller | J. B. Wicker |
| G. W. Howard | W. H. Miller | B. M. Williams |
| Ira W. Hulette | James B. Milliken | W. E. Rogers, Spr. |

Mr. Rayburn moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. McCarthy moved that the privilege of the floor be extended to Dr. E. C. Hardin.

Said motion was agreed to.

Mr. Boling moved that the privilege of the floor be extended to Messrs. Pal Garner, Marshall Norton and R. Bashan.

Said motion was agreed to.

The Clerk produced and read the following communication:

To the Clerk of the House of Representatives,
Frankfort, Kentucky.

Dear Sir:

At a meeting of the Common Council of this city, held on the evening of March 12th, I was directed to convey to the members of the General Assembly, the sincere thanks of the Mayor and Council, and through them, the people of Frankfort, for the passage of the Act directing the construction of a State bridge in this city.

I, therefore, have the honor to express to the members of the House of Representatives their grateful appreciation for the enactment of the bill.

Yours very respectfully,
M. Parrent, City Clerk.

The Clerk produced and read the following notice to the members of the House, viz.:

All members who served in the 1933 Special Session, please call at the Library for their copy of the 1933 Session Laws and the Journals of each House.

Funds for the mailing out of these books having been eliminated from our appropriation at the 1932 session, we are unable to send the books by mail.

Ethel Gist Cantrill, State Librarian.

The Clerk produced and read the following resolution from the Second District of Kentucky Branch of National Congress of Parent-Teachers, viz.:

The Second District of Kentucky Branch of National Congress of Parent-Teachers adopted the following resolu-

tions at the spring conference held in Henderson, Kentucky, March 7, 1934.

Whereas, the state common school fund is very inadequate during this period of reduced local property valuations, and

Whereas, the Gilbert Bill is calculated to reduce the state school fund at least 70%, therefore

Be It Resolved, That this the Second District Congress of Parents and Teachers hereby respectfully memorialize our General Assembly to immediately pass such revenue measures as they deem best suited for the support of the public schools through the state common school fund which will amount to at least $12 per child per annum.

Be It Further Resolved, That we hereby urge our representatives and senators and Hon. W. E. Rogers, Speaker of the House of Representatives, to introduce legislation immediately that will bring relief to the common schools, and

Be It further Resolved, That copies of this resolution be sent by our secretary to Dr. James H. Richmond, President, Mrs. James G. Sheehan, and Hon. W. E. Rogers, Speaker of the House, and a copy be sent to the press.

Mr. Otis Vance, President
Mrs. Ray Jones, Secretary

Mr. Ward moved that the rules of this House be suspended and that a bill entitled:

S. B. 147. An Act to authorize cities of the 3rd, 4th and 5th classes to construct and maintain municipal light, heat and power plants.

Be taken from the hands of the Committee on Rules, and taken up for immediate consideration.

Said motion was disagreed to, having failed to receive a majority of all the members elected to the House.

The yeas and nays being required thereon by Messrs. Ward and McKinley, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | George Dunlap | J. S. Mattingly |
| Levi Baker | Garland Embry | H. H. Miller |
| Harold L. Barnes | T. P. Fitzpatrick | M. D. Phelps |
| Marshall Barnes | J. B. Floyd | Steve Pieratt |
| Wm. B. Belknap | Kelly J. Francis | Kleber F. Price |
| O. J. Bowen | Ralph Gilbert | G. M. Pritchett |
| Corbett Brown | J. S. Hall | Avery Sartin |
| Wallace Brown | G. C. Johnson | Jos. W. Schneider |
| D. B. Coughlin | T. M. Johnson | Harry Sparks |
| Joel T. Crenshaw | Glenn W. Lane | Harry B. Thornton |
| W. J. Curtis | M. T. McCarthy | Henry T. Ward |
| Harry Davis | George R. McIntosh | Robert E. Webb |
| R. A. Demunbrun | Herschel McKinley | |
| S. S. Dickson | C. C. McMasters | —40 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Henry H. Allen | L. J. Gammon | Roy McWaters |
| Robert E. Beatty | Ferd A. Gnau | W. H. Miller |
| B. F. Bedford | C. Gottschalk | James B. Milliken |
| Jas. C. Bright | W. Yancey Handy | Tyler Munford |
| Frank C. Bruton | Judson Harmon | Robert A. Persky |
| Hugh K. Bullitt | R. M. Harrison, Jr. | Waylon Rayburn |
| Charles Chandler | J. Joseph Hettinger | L. D. Sandlin |
| J. A. Coleman | Dr. A. L. Hill | Mrs. M. B. Scott |
| Carroll L. Cropper | John R. Hobbs | Lafe J. Spencer |
| G. Cunningham | G. W. Howard | Lyle C. Tackett |
| Clarence E. Evans | Ira W. Hulette | Starling B. Tracy |
| Rudy Ferguson | F. P. Kessee | B. M. Williams |
| | | —36 |

The hour of twelve o'clock Meridian having arrived, Dr. Hill moved that the House do now recess until one-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

## AFTERNOON SESSION

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 110. An Act to amend and re-enact Section 4114i-13, Kentucky Statutes, 1930 Edition, pertaining to the State Tax Commission.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That Section 4114i-13, Kentucky Statutes, 1930 Edition, be amended and re-enacted by adding thereto the following:

"The State Tax Commission may adopt rules and regulations governing the interchange of data or information with the proper officer, board or commission of any other state or of the federal government and may, pursuant to such rules and regulations, furnish any data or information in its possession or coming to its knowledge to any officer, board or commission under reciprocal arrangements whereby the commission shall receive like information from such officer, board or commission."

So that when done Section 4114i-13, Kentucky Statutes, 1930 Edition, will read as follows, to-wit:

"It shall be unlawful for any commissioner, ex-commissioner, any employee, member of county board of supervisors, agent, assessor, deputy assessor or any other person, to divulge any information acquired by him of the affairs of any

company, firm, corporation, person, association or co-partnership, or information regarding the schedules required to be filed with the tax commission. Any violations of the provisions of this section shall be a misdemeanor and shall be punished by a fine not exceeding five hundred dollars ($500.00) or by imprisonment not exceeding six months, or both, and the guilty person shall be disqualified and removed from office or employment in the commission; provided, however, that this prohibition shall not extend to information required in prosecutions for making false reports or returns of property for taxation or any other infraction of the tax laws of the state; provided, further, that this prohibition shall not extend to any matter required by law to be entered upon any assessment book or roll; and provided further that the State Tax Commission may adopt rules and regulations governing the interchange of data or information with the proper officer, board or commission of any other state or of the federal government and may, pursuant to such rules and regulations, furnish any data or information in its possession or coming to its knowledge to any such officer, board or commission under reciprocal arrangements whereby the commission shall receive like information from such officer, board or commission."

All acts or parts of acts in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen Levi Baker Harold L. Barnes

| | | |
|---|---|---|
| Robert E. Beatty | J. S. Hall | W. H. Miller |
| B. F. Bedford | W. Yancey Handy | James B. Milliken |
| Wm. B. Belknap | Judson Harmon | Tyler Munford |
| Reuben J. Boling | Frank Harris | Rodes K. Myers |
| Corbett Brown | R. M. Harrison, Jr. | Robert A. Persky |
| Wallace Brown | J. Joseph Hettinger | M. D. Phelps |
| Frank C. Bruton | Dr. A. L. Hill | Steve Pieratt |
| Hugh K. Bullitt | John R. Hobbs | Kleber F. Price |
| Mrs. Cecil Cantrill | Ira W. Hulette | Waylon Rayburn |
| Charles Chandler | G. C. Johnson | W. P. Renfro |
| J. A. Coleman | T. M. Johnson | L. D. Sandlin |
| Sidney J. Collins | F. P. Kessee | Avery Sartin |
| Joel T. Crenshaw | J. H. King | Mrs. M. B. Scott |
| Carroll L. Cropper | John Kirtley | Harry Sparks |
| W. J. Curtis | W. L. Knuckles, Jr. | John W. Taylor |
| R. A. Demunbrun | Glenn W. Lane | Elmore J. Thomas |
| S. S. Dickson | Alden L. Love | Harry B. Thornton |
| Garland Embry | C. C. McMasters | Starling B. Tracy |
| Rudy Ferguson | Roy McWaters | Robert E. Webb |
| T. P. Fitzpatrick | J. S. Mattingly | J. B. Wicker |
| Ralph Gilbert | L. B. Meadors | B. M. Williams |
| Ferd A. Gnau | G. Samuel Milam | |
| C. Gottschalk | Clarence Miller | —70 |

Resolved that the title thereof be as aforesaid.

Mr. Cropper moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 87. An Act to amend and re-enact Section 346 of the Criminal Code of Practice, Carroll's 1932 Edition.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 346 of the Criminal Code of Practice, Carroll's 1932 Edition, be amended and re-enacted so that when so amended and re-enacted it shall read as follows:

"When a judgment of death has been affirmed, the judgment of affirmance shall fix therein the day of the execution as the fifth Friday following the date of the mandate of the court. The Clerk of the Court of Appeals shall transmit by special messenger or by registered mail to the proper officer a certified copy of said judgment and mandate, which shall be the authority of such officer to carry said judgment into effect. The officer receiving the same shall report his action both to the governor and to the circuit court. If, from any cause, the execution does not take place on the day appointed in said judgment, the governor may from time to time appoint another day for execution until the sentence is carried into effect.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Wm. B. Belknap | Frank C. Bruton |
| Harold L. Barnes | O. J. Bowen | Hugh K. Bullitt |
| Robert E. Beatty | Corbett Brown | Mrs. Cecil Cantrill |
| B. F. Bedford | Wallace Brown | J. A. Coleman |

| | | |
|---|---|---|
| Sidney J. Collins | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | G. C. Johnson | Kleber F. Price |
| Carroll L. Cropper | T. M. Johnson | Pat Rankin |
| W. J. Curtis | J. H. King | Waylon Rayburn |
| Harry Davis | Leo King | L. D. Sandlin |
| R. A. Demunbrun | John Kirtley | Avery Sartin |
| S. S. Dickson | W. L. Knuckles, Jr. | Jos. W. Schneider |
| Garland Embry | Glenn W. Lane | Mrs. M. B. Scott |
| W. J. Garnett | Alden L. Love | Harry Sparks |
| Ralph Gilbert | George R. McIntosh | Lafe J. Spencer |
| Ferd A. Gnau | Roy McWaters | John W. Taylor |
| C. Gottschalk | J. S. Mattingly | Elmore J. Thomas |
| J. S. Hall | G. Samuel Milam | Starling B. Tracy |
| W. Yancey Handy | Clarence Miller | Henry T. Ward |
| Judson Harmon | H. H. Miller | Robert E. Webb |
| R. M. Harrison, Jr. | W. H. Miller | J. B. Wicker |
| J. Joseph Hettinger | James B. Milliken | B. M. Williams |
| Dr. A. L. Hill | Rodes K. Myers | |
| John R. Hobbs | James I. Peters | —65 |

Resolved that the title thereof be as aforesaid.

Mr. Bullitt moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Gnau, of the Committee heretofore appointed by the Speaker of this House in compliance with a request from Mr. Bullitt of the Investigating Committee, heretofore appointed pursuant to a resolution adopted by this House, offered the following resolution, viz.:

RESOLUTION A.

WHEREAS, on March 8, 1934, Vance Armentrout was indicted for contempt by a Committee of the House of Representatives of the Commonwealth of Kentucky, and refused

to answer the question propounded by the House Investigating Committee, and

WHEREAS, the Speaker of the House appointed a Committee, as provided by Section 1995 of Carroll's Kentucky Statutes, 1930 Edition, to hear the evidence and to report to the House a Resolution of its findings, and

WHEREAS, pursuant to said appointment the Committee met and organized and elected Ferd Gnau as Chairman and Marion McCarthy as Secretary and then proceeded to notify said Vance Armentrout to appear on March 9, 1934, at 2:00 o'clock, P. M., and

WHEREAS, the said Armentrout was not present on Friday, March 9, but was represented by counsel and the trial was set for March 12, 1934, at 7:00 P. M. and the subpoenaes were issued for the witnesses as requested by the attorney for said Armentrout, and

WHEREAS, on March 12, 1934, the said Armentrout appeared in person and represented by counsel, and the second Assistant Attorney General appeared as the attorney for the Special Investigating Committee, and after disposing of said preliminary motions, the taking of testimony was begun and the Committee heard all of the evidence offered in support of the charge by the plaintiff, the Commonwealth of Kentucky, by and through the Special Investigating Committee of the House of Representatives, and the said Armentrout failed to take the witness stand or to offer any testimony. Thereupon the Committee heard the argument of counsel and adjourned, and

WHEREAS, the evidence which included the transcript of the evidence heard before the Special Investigating Committee conclusively shows the following facts:

1. That Vance Armentrout appeared before the Special Investigating Committee as a witness on March 7, 1934, and was duly sworn to tell the truth, the whole truth and nothing but the truth.

2. That he was questioned regarding the authorship of

a letter which appeared in the Point of View column of the Courier Journal which was signed with an anonymous name, and testified that he received the letter, opened it, read it, saw the signature, that the letter was published and the letter was then thrown away and, according to his best judgment, he knew the name of the person who sent in said letter and the name that appeared as a signature to said letter, but that in view of the statement at the head of the Point of View column in the Courier-Journal he would be violating the confidence and ethics of the newspaper profession to reveal the name.

3. That the said Armentrout was admonished by the Committee of its power and of the law of the privileged and confidential communication and to the effect that such evidence was not privileged under the law and that it was the duty to answer.

4. That the Committee then and there asked the said Armentrout who sent in the letter or who wrote the letter and he again refused to answer; and,

WHEREAS, Section 606 of the Civil Code of Practice of Kentucky does not declare such testimony as privileged or confidential and, on such, a witness can be compelled to reveal and testify; that under the Constitution and the Statutes of Kentucky the said Armentrout had no legal right to refuse to answer the question on the ground that it was a privileged or confidential communication or that it would tend to incriminate; and,

WHEREAS, the Special Investigating Committee by Resolution, adopted by the House unanimously, was empowered to investigate lobbying or fraud and corruption in elections and granted the power to subpoena witnesses, to administer oaths, to require witnesses to testify concerning information that would throw light on the subject of illegal lobbying or corruption or fraud in the election of the members of the General Assembly, and

WHEREAS, the letter that appeared in the Courier-Journal

charged that the hands of the Speaker were tied; that he delayed the assigning of bills on the day of their introduction so that some one could tell him where to assign them, and that some one behind the screen was pulling the strings, and, whereas, such a charge, if true, would present a case of the most vicious illegal lobbying, and, whereas, the Investigating Committee had the right to seek the information upon which the charge of such vicious illegal lobbying was based, and the question propounded to said Armentrout was for the purpose of ascertaining the individual who had written the letter making the charge, at hand, and

WHEREAS, by reason of these facts the question propounded was a proper subject of inquiry by reason of the power granted the General Assembly to investigate illegal lobbying, under Section 150 of the Constitution of Kentucky, and

WHEREAS, under Section 39 of the Constitution and Section 1995 to 1998 of Carroll's Kentucky Statutes, 1930 Edition, the person who refuses to testify on a proper subject of inquiry before the House or Committee thereof, is guilty of contempt and shall be punished in the manner provided by law, and

WHEREAS, under Section 1993 of Carroll's Kentucky Statutes, 1930 Edition, the punishment therefor is a fine not exceeding $1,000.00 or confinement in jail for any number of days not exceeding the number of days remaining in the unexpired period of the regular session of the General Assembly, and

WHEREAS, it is the unanimous opinion of the Committee to hear the evidence and report its findings and make recommendation of punishment, that the said Vance Armentrout was guilty of contempt of the Committee of the House, and whereas, if it were not for the ethics of the newspaper profession and the fact that said Armentrout sought to be excused from revealing the name on the grounds of violating a confidence, the Committee would recommend the extreme penalty permitted under the law for such an offense, but,

whereas, the Committee by reason of such facts considered them in mitigation of the offense: *Now, therefore,*

*Be It Resolved,* That the said Vance Armentrout by refusing to answer the question of the Special Investigating Committee on March 7th, and by his continued failure to reveal the name of said person who sent in the letter, has been and is guilty of contempt as provided in Section 39 of the Constitution of Kentucky and the Statutes enacted in pursuance thereof, and that he be, and is hereby punished for said contempt, fined the sum of Twenty-five ($25.00) Dollars and the cost of the proceeding, if any, and the Attorney General of Kentucky is hereby directed to collect the fine hereby imposed and the cost of said proceeding, if any, in the manner prescribed by law.

Presented by:
F. H. GNAU, Chairman.
FRANK C. BRUTON.
JUDSON S. HARMON.
J. STERLING TOWLES.
MARION T. MCCARTHY, Secretary.

Said resolution was approved and adopted by this House.

The yeas and nays being taken thereon, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Charles Chandler | Rudy Ferguson |
| Harold L. Barnes | J. A. Coleman | T. P. Fitzpatrick |
| Robert E. Beatty | Joel T. Crenshaw | Kelly J. Francis |
| B. F. Bedford | Carroll L. Cropper | L. J. Gammon |
| Wm. B. Belknap | G. Cunningham | W. J. Garnett |
| O. J. Bowen | W. J. Curtis | Ralph Gilbert |
| Frank C. Bruton | S. S. Dickson | Ferd A. Gnau |
| Hugh K. Bullitt | Garland Embry | J. S. Hall |
| Mrs. Cecil Cantrill | Clarence E. Evans | W. Yancey Handy |

| | | |
|---|---|---|
| Judson Harmon | M. T. McCarthy | Steve Pieratt |
| J. Joseph Hettinger | C. C. McMasters | Kleber F. Price |
| Dr. A. L. Hill | Roy McWaters | G. M. Pritchett |
| John R. Hobbs | L. B. Meadors | Waylon Rayburn |
| G. W. Howard | G. Samuel Milam | L. D. Sandlin |
| Ira W. Hulette | Clarence Miller | Avery Sartin |
| G. C. Johnson | W. H. Miller | Mrs. M. B. Scott |
| T. M. Johnson | James B. Milliken | Lafe J. Spencer |
| F. P. Kessee | Tyler Munford | Lyle C. Tackett |
| Leo King | Rodes K. Myers | J. Sterling Towles |
| John Kirtley | Richard H. Nufer | Starling B. Tracy |
| Glenn W. Lane | Robert A. Persky | Robert E. Webb |
| Alden L. Love | M. D. Phelps | J. B. Wicker |

—51

Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | C. Gottschalk | Jos. W. Schneider |
| Marshall Barnes | R. M. Harrison, Jr. | Harry Sparks |
| Sidney J. Collins | Herschel McKinley | John W. Taylor |
| D. B. Coughlin | J. S. Mattingly | Harry B. Thornton |
| Harry Davis | James I. Peters | Henry T. Ward |
| R. A. Demunbrun | Pat Rankin | |
| George Dunlap | W. P. Renfro | |

—19

Mr. Gnau moved that the vote by which said resolution was approved and adopted by this House be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Persky moved that the House do now, by a rising vote, express their confidence in the Hon. W. E. Rogers, Speaker of the House of Representatives.

Said motion was agreed to.

Thereupon the members of the House stood for a moment in expression of confidence in the Speaker of the House.

Mr. Evans moved that the House do now resolve itself into a Committee of the Whole House for the purpose of determining whether an article "Psalm of Politics" which appeared in the Courier-Journal, was written by a member of this House.

Said motion was agreed to.

Thereupon the Speaker vacated the Chair and designated Mr. Evans as Chairman of the Committee of the Whole House.

Mr. Marshall Barnes moved that every member of this House on a call of the roll be allowed to state whether or not he wrote or signed the article "Psalm of Politics".

Mr. Love offered the following amendment to said motion: "Amend the motion as made by Mr. Marshall Barnes by adding thereto 'and that this House demand that every member shall vote when his name is called' ".

Said amendment was agreed to.

Said motion as made by Mr. Marshall Barnes was then agreed to, as amended.

Ordered that the Sergeant-at-Arms be directed to escort to the floor of the House all absentees.

The roll was called and the following members answered when their names were called, viz.:

Those who voted in the negative were—

| | | |
|---|---|---|
| Henry H. Allen | Marshall Barnes | Reuben J. Boling |
| Carroll D. Asbury | Robert E. Beatty | O. J. Bowen |
| Levi Baker | B. F. Bedford | Jas. C. Bright |
| Harold L. Barnes | Wm. B. Belknap | Corbett Brown |

| | | |
|---|---|---|
| Wallace Brown | Frank Harris | Rodes K. Myers |
| Frank C. Bruton | R. M. Harrison, Jr. | Richard H. Nufer |
| Hugh K. Bullitt | J. Joseph Hettinger | Robert A. Persky |
| Mrs. Cecil Cantrill | Dr. A. L. Hill | James I. Peters |
| Charles Chandler | John R. Hobbs | M. D. Phelps |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Sidney J. Collins | Ira W. Hulette | Kleber F. Price |
| D. B. Coughlin | G. C. Johnson | G. M. Pritchett |
| Joel T. Crenshaw | T. M. Johnson | Pat Rankin |
| Carroll L. Cropper | F. P. Kessee | Waylon Rayburn |
| G. Cunningham | J. H. King | W. P. Renfro |
| W. J. Curtis | Leo King | L. D. Sandlin |
| Harry Davis | John Kirtley | Avery Sartin |
| R. A. Demunbrun | W. L. Knuckles, Jr. | Jos. W. Schneider |
| S. S. Dickson | Glenn W. Lane | Mrs. M. B. Scott |
| George Dunlap | Alden L. Love | Harry Sparks |
| Garland Embry | M. T. McCarthy | Lafe J. Spencer |
| Clarence E. Evans | George R. McIntosh | Lyle C. Tackett |
| Rudy Ferguson | Herschel McKinley | John W. Taylor |
| T. P. Fitzpatrick | C. C. McMasters | Elmore J. Thomas |
| J. B. Floyd | Roy McWaters | Harry B. Thornton |
| Kelly J. Francis | C. C. May | J. Sterling Towles |
| L. J. Gammon | J. S. Mattingly | Starling B. Tracy |
| W. J. Garnett | L. B. Meadors | Henry T. Ward |
| Ralph Gilbert | G. Samuel Milam | Robert E. Webb |
| Ferd A. Gnau | Clarence Miller | J. B. Wicker |
| C. Gottschalk | H. H. Miller | B. M. Williams |
| J. S. Hall | W. H. Miller | W. E. Rogers, Spr. |
| W. Yancey Handy | James B. Milliken | |
| Judson Harmon | Tyler Munford | —100 |

The absence of Messrs. Floyd, Keesee and May be noted.

Mr. Belknap moved that said call of the roll be laid on the Clerk's desk until a call of all the members elected to this House, can be recorded.

Said motion was agreed to.

Mr. Gnau moved that the Committee of the Whole House do now arise.

Said motion was agreed to.

Thereupon the Speaker resumed the Chair.

Mr. Evans of the Committee of the Whole House reported that a call of the members of this House had been taken in an effort to determine whether an article "Psalm of Politics" had been written or signed by a member of this House and that said roll call had been laid on the Clerk's desk until the return of the absentees.

Dr. Hill moved that the session of to-day be extended indefinitely.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 126. An Act creating and establishing a road in the primary system in Kenton County connecting the City of Ludlow with the Dixie Highway known as State Highway No. 25, at or near the Lookout House, said road to be known and designated as Sleepy Hollow Road.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and is hereby created a road to begin at the intersection of Deverill Street and Adela Avenue at the corporation limits of Ludlow, Kentucky, and extending southwardly along Deverill Street to its intersection with Sand Bank Road; thence westwardly on Sand Bank Road to its intersection with Devou Park Road or Montague Road; thence southwardly up Sleepy Hollow Road to a point in the inter-

section of Amsterdam Road with Old State Road; thence with Old State Road to the junction of the Dixie Highway known as U. S. Highway No. 25, at a point near the Lookout House, located about a mile west of Covington, Kentucky. The project thus established shall be part of the primary road system of this Commonwealth and shall be entitled to all the benefits and subject to all the laws now in existence or to be hereinafter enacted in relation to the same.

This Act shall become effective upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| B. F. Bedford | Ferd A. Gnau | C. C. McMasters |
| Robert E. Beatty | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 214. An Act adding to the Primary System of Highways, a road beginning on State Highway No. 71, at the C. A. Turner Farm, to Lock No. 4, on Green River, at Woodbury, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That the road beginning on State Highway No. 71, at the C. A. Turner Farm, and running thence about three and one-half miles to Lock No. 4, on Green River, at Woodbury, Kentucky, be and the same is hereby made a part of the Primary System of State Highways of the Commonwealth of Kentucky. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17, page 76, of the Acts of 1920, establishing and creating a Primary System of State Highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| B. F. Bedford | Ferd A. Gnau | C. C. McMasters |
| Robert E. Beatty | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1.

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 218. An Act establishing as a part of the Primary System of State Highways, a road beginning at a point on the Dixon-Sebree State Highway No. ....., at or near Ortiz, in Webster County and running in a southerly direction, via the farms of T. H. Shelton and the late L. B. Hall to and connecting with the Dixon-Slaughters State Highway No. ....., at or near Mount Pleasant Church and School House in Webster County.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There is hereby established as a part of the Primary System of Highways of the Commnowealth of Kentucky, a road beginning at a point on the Dixon-Sebree State Highway No. ....., at or near Ortiz in Webster County and running in a Southerly direction, via the farms of T. H. Shelton and the late L. B. Hall to and connecting with the Dixon-Slaughters State Highway No. ....., at or near Mount Pleasant Church and School House in Webster County, to be known and designated as Project No. .....

§ 2. The said road to have and receive all the benefits of a State Primary Road System under Chapter 17 of the Acts of 1920 and the amendments thereto.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| B. F. Bedford | Ferd A. Gnau | C. C. McMasters |
| Robert E. Beatty | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46. |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 219. An Act to establish as a part of the Primary

System of State Highways a road beginning at the mouth of Road Fork of Pond Creek, Pike County, Kentucky, on the highway between Pikeville and Williamson, W. Va., and thence up Road Fork to the Pikeville-Williamson Highway near the store of Orrison Smith on Big Creek.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road beginning at a point on the Pikeville-Williamson Highway at the mouth of Road Fork of Pond Creek, in Pike County, Kentucky, and thence running up said Road Fork and crossing the mountain to a point on Big Creek, on the Pikeville-Williamson Highway, near the store of Orrison Smith. Said road shall be known as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of 1920, of the General Assembly, as amended, establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original Act as one of the projects of the Primary System of State Highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Carroll D. Asbury Harold L. Barnes B. F. Bedford

| | | |
|---|---|---|
| Robert E. Beatty | Ferd A. Gnau | Herschel McKinley |
| O. J. Bowen | C. Gottschalk | C. C. McMasters |
| Jas. C. Bright | J. S. Hall | Roy McWaters |
| Corbett Brown | W. Yancey Handy | G. Samuel Milam |
| Wallace Brown | Frank Harris | Clarence Miller |
| Frank C. Bruton | R. M. Harrison, Jr. | H. H. Miller |
| Hugh K. Bullitt | Dr. A. L. Hill | W. H. Miller |
| J. A. Coleman | John R. Hobbs | Tyler Munford |
| Joel T. Crenshaw | G. W. Howard | Rodes K. Myers |
| Carroll L. Cropper | Ira W. Hulette | Steve Pieratt |
| G. Cunningham | T. M. Johnson | Pat Rankin |
| W. J. Curtis | W. L. Knuckles, Jr. | Mrs. M. B. Scott |
| S. S. Dickson | Glenn W. Lane | Elmore J. Thomas |
| Clarence E. Evans | Alden L. Love | |
| Ralph Gilbert | M. T. McCarthy | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 220. An Act to establish as a part of the Primary System of State Highways a road beginning at Sassafras, Knott County, Kentucky, on Route No. 15, and thence up Yellow Creek to a point about one-half mile above Anco, Post Office, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road beginning at a point on Route No. 15, at Sassafras, Knott County, Kentucky, and thence up Yellow Creek to a point about one-half mile above Anco, Post Office, Knott County, Kentucky. Said project shall be known as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17, of the Acts of 1920 Session of the General Assembly, as amended, establishing and creating a Primary System of State Highways to the same effect as if said road had been named in the original act as one of the projects of the Primary System of State Highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Wallace Brown | W. J. Curtis |
| Harold L. Barnes | Frank C. Bruton | S. S. Dickson |
| Robert E. Beatty | Hugh K. Bullitt | Clarence E. Evans |
| B. F. Bedford | J. A. Coleman | Ralph Gilbert |
| O. J. Bowen | Joel T. Crenshaw | Ferd A. Gnau |
| Jas. C. Bright | Carroll L. Cropper | C. Gottschalk |
| Corbett Brown | G. Cunningham | J. S. Hall |

| | | |
|---|---|---|
| W. Yancey Handy | Glenn W. Lane | W. H. Miller |
| Frank Harris | Alden L. Love | Tyler Munford |
| R. M. Harrison, Jr. | M. T. McCarthy | Rodes K. Myers |
| Dr. A. L. Hill | Herschel McKinley | Steve Pieratt |
| John R. Hobbs | C. C. McMasters | Pat Rankin |
| G. W. Howard | Roy McWaters | Mrs. M. B. Scott |
| Ira W. Hulette | G. Samuel Milam | Elmore J. Thomas |
| T. M. Johnson | Clarence Miller | |
| W. L. Knuckles, Jr. | H. H. Miller | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 242. An Act relating to roads and highways and describing and establishing a project to be added to the State Primary System of Roads and Highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There is hereby established as part of the Primary System of Roads and Highways of this Commonwealth, as created by Chapter 17 of the Acts of the General Assembly of 1920, and amended by session acts of 1924, 1926, 1928, 1930 and 1932, the following project, to-wit:

Beginning at a point on Highway No. 68 near the schoolhouse at Daysville; thence over the most practicable road to

a point near T. N. Lyne's house on the Clarksville highway, to be known as Project No. .....

§ 2. Said project thus established to be made part of the Primary System of Roads and Highways, and to be entitled to all the benefits and subject to all the laws hereafter or now in force in relation to same.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| Robert E. Beatty | Ferd A. Gnau | C. C. McMasters |
| B. F. Bedford | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 243. An Act relating to roads and highways and describing and establishing a project to be added to the State Primary System of Roads and Highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There is hereby established as part of the Primary System of Roads and Highways of this Commonwealth, as created by Chapter 17 of the Acts of the General Assembly of 1920, and amended by session acts of 1924, 1926, 1928, 1930 and 1932, the following project, to-wit:

Beginning at a point at Diamond Springs hotel; thence over the most practicable route to Highway No. 15 to a point near Diamond Springs Station, and known as the Diamond Springs road, to be known as Project No. .....

§ 2. Said project thus established to be a part of the Primary System of Roads and Highways and to be entitled to all the benefits and subject to all the laws hereafter or now in force in relation to same.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| Robert E. Beatty | Ferd A. Gnau | C. C. McMasters |
| B. F. Bedford | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 244. An Act relating to roads and highways and describing and establishing a project to be added to the State Primary System of Roads and Highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There is hereby established as part of the Primary System of Roads and Highways of this Commonwealth, as created by Chapter 17 of the Acts of the General Assembly of 1920, and amended by session acts of 1924, 1926, 1928, 1930 and 1932, the following project, to-wit:

Beginning at a point on the Jeff Davis Highway No. 68 at J. H. Burgher's house; thence over the most practical route to the Clarksville highway to a point at or near the Post Oak church, to be known as Project No. .....

§ 2. Said project thus established to be a part of the Primary System of Roads and Highways; to be entitled to all the benefits and subject to all the laws hereafter or now in force in relation to same.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Frank C. Bruton | Clarence E. Evans |
| Harold L. Barnes | Hugh K. Bullitt | Ralph Gilbert |
| Robert E. Beatty | J. A. Coleman | Ferd A. Gnau |
| B. F. Bedford | Joel T. Crenshaw | C. Gottschalk |
| O. J. Bowen | Carroll L. Cropper | J. S. Hall |
| Jas. C. Bright | G. Cunningham | W. Yancey Handy |
| Corbett Brown | W. J. Curtis | Frank Harris |
| Wallace Brown | S. S. Dickson | R. M. Harrison, Jr. |

| | | |
|---|---|---|
| Dr. A. L. Hill | M. T. McCarthy | Tyler Munford |
| John R. Hobbs | Herschel McKinley | Rodes K. Myers |
| G. W. Howard | C. C. McMasters | Steve Pieratt |
| Ira W. Hulette | Roy McWaters | Pat Rankin |
| T. M. Johnson | G. Samuel Milam | Mrs. M. B. Scott |
| W. L. Knuckles, Jr. | Clarence Miller | Elmore J. Thomas |
| Glenn W. Lane | H. H. Miller | |
| Alden L. Love | W. H. Miller | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 245. An Act relating to roads and highways and describing and establishing a project to be added to the State Primary System of Roads and Highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There is hereby established as part of the Primary System of Roads and Highways of this Commonwealth, as created by Chapter 17 of the Acts of the General Assembly of 1920, and amended by session acts of 1924, 1926, 1928, 1930 and 1932, the following project, to-wit:

Beginning at a point on the Clarksville highway near Cave Spring; thence over the most practicable route to the

intersection of Orndorff Mill road at Dot and known as the Watermelon road, to be known as Project No. .....

§ 2. Said project thus established to be a part of the Primary System of Roads and Highways and to be entitled to all the benefits and subject to all the laws hereafter or now in force in relation to same.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| Robert E. Beatty | Ferd A. Gnau | C. C. McMasters |
| B. F. Bedford | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 246. An Act relating to roads and highways and describing and establishing a project to be added to the State Primary System of Roads and Highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There is hereby established as part of the Primary System of Roads and Highways of this Commonwealth, as created by Chapter 17, of the Acts of the General Assembly of 1920, and amended by session acts of 1924, 1926, 1928, 1930 and 1932, the following project, to-wit:

Beginning at a point at Whippowill bridge on Highway No. 68, thence over the most practical route to Highway No. 15 at a point near Lewisburg and known as the Rush Mill Road, to be known as Project No. .....

§ 2. Said project thus established to be a part of the Primary System of Roads and Highways and to be entitled to all the benefits and subject to all the laws hereafter or now in force in relation to same.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| Robert E. Beatty | Ferd A. Gnau | C. C. McMasters |
| B. F. Bedford | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 257. An Act establishing as a part of the Primary

System of State Highways of the Commonwealth of Kentucky a road from Bethelridge, in Casey County, Kentucky, to Science Hill in Pulaski County, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road from Bethelridge in Casey County, Kentucky, to Science Hill, in Pulaski County, Kentucky, by way of Rock Lick Creek to Hogue in Pulaski County, Kentucky, and thence to Science Hill, in Pulaski County, Kentucky, to be designated as Project No. .....

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the laws now in existence or to be hereafter enacted in relation to same.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Wallace Brown | W. J. Curtis |
| Harold L. Barnes | Frank C. Bruton | S. S. Dickson |
| Robert E. Beatty | Hugh K. Bullitt | Clarence E. Evans |
| B. F. Bedford | J. A. Coleman | Ralph Gilbert |
| O. J. Bowen | Joel T. Crenshaw | Ferd A. Gnau |
| Jas. C. Bright | Carroll L. Cropper | C. Gottschalk |
| Corbett Brown | G. Cunningham | J. S. Hall |

| | | |
|---|---|---|
| W. Yancey Handy | Glenn W. Lane | W. H. Miller |
| Frank Harris | Alden L. Love | Tyler Munford |
| R. M. Harrison, Jr. | M. T. McCarthy | Rodes K. Myers |
| Dr. A. L. Hill | Herschel McKinley | Steve Pieratt |
| John R. Hobbs | C. C. McMasters | Pat Rankin |
| G. W. Howard | Roy McWaters | Mrs. M. B. Scott |
| Ira W. Hulette | G. Samuel Milam | Elmore J. Thomas |
| T. M. Johnson | Clarence Miller | |
| W. L. Knuckles, Jr. | H. H. Miller | |

—46

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 268. An Act relating to roads and highways, and placing on the Primary System a road beginning on Route 22, in Williamstown, Kentucky, and ending at Kelat, in Harrison County, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be added to the Primary System of Roads and made a part of the Primary Road System of Kentucky, the following road: Beginning in Williamstown, Kentucky, at the junction of State Highway No. 22, follow Cynthiana road to the top of the hill to the Bonar pike; thence turning

right on the Bonar pike to the Shinkle and Shield's pike; thence following Shinkle and Shield's pike past the Oak Ridge Church to Ashbrook pike; thence turning left on Ashbrook pike to the Bill Martin pike; thence turning right on Bill Martin pike and follow to Stone Schoolhouse; thence turning left at Stone Schoolhouse to Marcus Church; thence from Marcus Church bearing to right by the way of Durbantown, Colemansville and Berry Station; thence on to Kelat.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| Robert E. Beatty | Ferd A. Gnau | C. C. McMasters |
| B. F. Bedford | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 269. An Act relating to roads and highways, and placing on the Primary System a road beginning on Route 22 in Williamstown, Kentucky, and thence leading over the old Cynthiana Trail by Oak Ridge Schoolhouse to Marcus Church, Durbantown and Colemansville, and leaving the old Cynthiana Trail at Colemansville and running by way of Berry Station, and connecting with United States Highway No. 27, at Kelat.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That the road beginning about two hundred and fifty (250) yards of United States Highway No. 25, on Paris Street in Williamstown, Kentucky, on Route 22, and leading over the old Cynthiana Trail by the Oak Ridge Schoolhouse to Marcus Church, Durbantown and Colemansville, and leaving the old Cynthiana Trail at Colemansville and running by way of Berry Station, and connecting with United States Highway No. 27, at Kelat, be made a part of the Primary Road System of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| Robert E. Beatty | Ferd A. Gnau | C. C. McMasters |
| B. F. Bedford | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 270. An Act relating to Roads and Highways and establishing as a part of the Primary System of State Highways a road leading from Morning View in Kenton County, Kentucky; thence in a southerly direction to Demossville in Pendleton County; and thence to Butler; and thence to Lynn; and thence to Falmouth, connecting with Route 27 at Falmouth.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there is established as a part of the Primary System of State Highways of Kentucky, a road beginning at Morning View in Kenton County, Kentucky; then running in a southerly direction to Demossville in Pendleton County; and thence to Butler; and thence to Lynn; and thence to Falmouth, connecting with Route 27 at Falmouth. Said road shall be entitled to and receive all the benefits of such laws as are now, or may be hereafter in effect, with relation to the Primary Road System in this State.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Carroll D. Asbury Harold L. Barnes Robert E. Beatty

| | | |
|---|---|---|
| B. F. Bedford | Ferd A. Gnau | Herschel McKinley |
| O. J. Bowen | C. Gottschalk | C. C. McMasters |
| Jas. C. Bright | J. S. Hall | Roy McWaters |
| Corbett Brown | W. Yancey Handy | G. Samuel Milam |
| Wallace Brown | Frank Harris | Clarence Miller |
| Frank C. Bruton | R. M. Harrison, Jr. | H. H. Miller |
| Hugh K. Bullitt | Dr. A. L. Hill | W. H. Miller |
| J. A. Coleman | John R. Hobbs | Tyler Munford |
| Joel T. Crenshaw | G. W. Howard | Rodes K. Myers |
| Carroll L. Cropper | Ira W. Hulette | Steve Pieratt |
| G. Cunningham | T. M. Johnson | Pat Rankin |
| W. J. Curtis | W. L. Knuckles, Jr. | Mrs. M. B. Scott |
| S. S. Dickson | Glenn W. Lane | Elmore J. Thomas |
| Clarence E. Evans | Alden L. Love | |
| Ralph Gilbert | M. T. McCarthy | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 271. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from United States Highway No. 227 at Wheatley in Owen County, Kentucky; thence in a easterly direction by Souther Brothers' farm to the old New Liberty and Moxley pike at old Toll Gate House on Little Twin Creek; thence by J. J. McNeal and L. P. Alexander farms to Moxley

near the Kentucky River on the Owen County side thereof, and designating the same as State Project No. .....

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby established as a part of the Primary System of State Highways of Kentucky a road beginning at and leading from United States Highway No. 227 at Wheatley in Owen County, Kentucky; thence in an easterly direction by Souther Brothers' farm to the old New Liberty and Moxley pike at Old Toll Gate House on Little Twin Creek; thence by J. J. McNeal and L. P. Alexander farms to Moxley near the Kentucky River on the Owen County side thereof, and the said road shall be designated as Project No. ....., and be entitled to and receive all the benefits of such laws as are now, or may be hereafter in effect with relation to the Primary Road System of this State.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Corbett Brown | Carroll L. Cropper |
| Harold L. Barnes | Wallace Brown | G. Cunningham |
| Robert E. Beatty | Frank C. Bruton | W. J. Curtis |
| B. F. Bedford | Hugh K. Bullitt | S. S. Dickson |
| O. J. Bowen | J. A. Coleman | Clarence E. Evans |
| Jas. C. Bright | Joel T. Crenshaw | Ralph Gilbert |

| | | |
|---|---|---|
| Ferd A. Gnau | T. M. Johnson | H. H. Miller |
| C. Gottschalk | W. L. Knuckles, Jr. | W. H. Miller |
| J. S. Hall | Glenn W. Lane | Tyler Munford |
| W. Yancey Handy | Alden L. Love | Rodes K. Myers |
| Frank Harris | M. T. McCarthy | Steve Pieratt |
| R. M. Harrison, Jr. | Herschel McKinley | Pat Rankin |
| Dr. A. L. Hill | C. C. McMasters | Mrs. M. B. Scott |
| John R. Hobbs | Roy McWaters | Elmore J. Thomas |
| G. W. Howard | G. Samuel Milam | |
| Ira W. Hulette | Clarence Miller | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 272. An Act relating to establishing as a part of the Primary System of State Highways of Kentucky, a road running from United States Highway No. 25, near Crittenden, Ky., to connect with United States Highway No. 27, in Pendleton County, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there is hereby established as a part of the Primary System of the State Highways of the Commonwealth of Kentucky, a road running from a point near the south corporate limits of the town of Crittenden in Grant County, Kentucky,

on U. S. 25; thence easterly by the way of the home of Guy Collins to Gardnersville, and from said point easterly to connect with U. S. 27, in Pendleton County, Kentucky. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 11, of the Acts of the General Assembly of 1920, establishing and creating a Primary System of State Highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| Robert E. Beatty | Ferd A. Gnau | C. C. McMasters |
| B. F. Bedford | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 283. An Act to amend and re-enact Chapter 436 of the Acts of the 1932 Session of the General Assembly.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Chapter 436 of the Acts of the General Assembly of 1932 be amended and re-enacted so that when amended and re-enacted it will read as follows:

Project No. 80, from Smithland to Murray via Calvert City and Benton, and said road will receive and be entitled to all the benefits allowed and provided for in Chapter 17 of the Acts of 1920.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| Robert E. Beatty | Ferd A. Gnau | C. C. McMasters |
| B. F. Bedford | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 285. An Act relating to roads and highways and describing and establishing a project to be added to the State Primary System of Roads and Highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There is hereby established as part of the Primary System of Roads and Highways of this Commonwealth as created by Chapter 17 of the Acts of the General Assembly of 1920, and amended by Session Acts of 1922, 1924, 1926, 1928, 1930 and 1932, the following project, to-wit:

Beginning at a point on State Highway No. 68 near R. E. Lyne's home in Logan County; thence over the most practicable route to the Clarksville Highway at a point near R. B. Piper's home, in Logan County, and to be known as Project No. .....

§ 2. Said project thus established to be a part of the Primary System of Roads and Highways, and to be entitled to all the benefits and subject to all laws now or hereafter in force in relation to same.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Frank C. Bruton | Clarence E. Evans |
| Harold L. Barnes | Hugh K. Bullitt | Ralph Gilbert |
| Robert E. Beatty | J. A. Coleman | Ferd A. Gnau |
| B. F. Bedford | Joel T. Crenshaw | C. Gottschalk |
| O. J. Bowen | Carroll L. Cropper | J. S. Hall |
| Jas. C. Bright | G. Cunningham | W. Yancey Handy |
| Corbett Brown | W. J. Curtis | Frank Harris |
| Wallace Brown | S. S. Dickson | R. M. Harrison, Jr. |

| | | |
|---|---|---|
| Dr. A. L. Hill | M. T. McCarthy | Tyler Munford |
| John R. Hobbs | Herschel McKinley | Rodes K. Myers |
| G. W. Howard | C. C. McMasters | Steve Pieratt |
| Ira W. Hulette | Roy McWaters | Pat Rankin |
| T. M. Johnson | G. Samuel Milam | Mrs. M. B. Scott |
| W. L. Knuckles, Jr. | Clarence Miller | Elmore J. Thomas |
| Glenn W. Lane | H. H. Miller | |
| Alden L. Love | W. H. Miller | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 286. An Act establishing as part of the Primary System of State Highways, a road leading from State Project No. 126 as amended by act of the Legislature, Chapter 191, page 764, Acts of 1932, at Miller's Station School House in Nicholas County, so as to intersect with U. S. Highway No. 68, about one mile east of Paris, in Bourbon County.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There is hereby established as part of the Primary System of State Highways of the Commonwealth of Kentucky, a road beginning at State Project No. 126 at the Miller's Station School House thereon in Nicholas County;

thence to Miller's Station on the L. & N. R. R.; thence to the Pleasant Springs Turnpike near the residence of Mrs. Jane Letton thereon; thence with the Pleasant Springs Turnpike to Hinkston Creek (Bourbon and Nicholas County line); thence along the Stoker Turnpike to its intersection with the Millersburg and Black's Cross Roads Turnpike; thence along the Millersburg and Black's Cross Roads Turnpike to its intersection with the Paris and Jackstown Turnpike to Black's Cross Roads; thence along the Paris and Jackstown Turnpike to its intersection with U. S. Highway No. 68, about one mile east of Paris, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a Primary System of State Highways to the same effect as if said road had been named in the original act as one of the projects of the Primary System of State Highways, as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Corbett Brown | Carroll L. Cropper |
| Harold L. Barnes | Wallace Brown | G. Cunningham |
| Robert E. Beatty | Frank C. Bruton | W. J. Curtis |
| B. F. Bedford | Hugh K. Bullitt | S. S. Dickson |
| O. J. Bowen | J. A. Coleman | Clarence E. Evans |
| Jas. C. Bright | Joel T. Crenshaw | Ralph Gilbert |

| | | |
|---|---|---|
| Ferd A. Gnau | T. M. Johnson | H. H. Miller |
| C. Gottschalk | W. L. Knuckles, Jr. | W. H. Miller |
| J. S. Hall | Glenn W. Lane | Tyler Munford |
| W. Yancey Handy | Alden L. Love | Rodes K. Myers |
| Frank Harris | M. T. McCarthy | Pat Rankin |
| R. M. Harrison, Jr. | Herschel McKinley | Steve Pieratt |
| Dr. A. L. Hill | C. C. McMasters | Mrs. M. B. Scott |
| John R. Hobbs | Roy McWaters | Elmore J. Thomas |
| G. W. Howard | G. Samuel Milam | |
| Ira W. Hulette | Clarence Miller | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 288. An Act establishing as a part of the Primary System of State Highways a road beginning at Carrollton in Carroll County and extending along the course of the Kentucky River to Beattyville in Lee County, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There is hereby established as part of the Primary System of State Highways of the Commonwealth of Kentucky the road beginning at Carrollton in Carroll County and extending along the course of the Kentucky River, as near as practical, and ending at Beattyville, in Lee County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920, as amended, to the same effect as if said road had been named in the original Act as one of the projects of the Primary System of State Highways as provided therein.

§ 3. The Kentucky State Highway Commission shall have the power to regulate and prescribe the type and architecture of any building or structure erected within 250 feet of center line of said road and said road when built shall be called the Kentucky River Scenic Highway.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | G. Cunningham | G. W. Howard |
| Harold L. Barnes | W. J. Curtis | Ira W. Hulette |
| Robert E. Beatty | S. S. Dickson | T. M. Johnson |
| B. F. Bedford | Clarence E. Evans | W. L. Knuckles, Jr. |
| O. J. Bowen | Ralph Gilbert | Glenn W. Lane |
| Jas. C. Bright | Ferd A. Gnau | Alden L. Love |
| Corbett Brown | C. Gottschalk | M. T. McCarthy |
| Wallace Brown | J. S. Hall | Herschel McKinley |
| Frank C. Bruton | W. Yancey Handy | C. C. McMasters |
| Hugh K. Bullitt | Frank Harris | Roy McWaters |
| J. A. Coleman | R. M. Harrison, Jr. | G. Samuel Milam |
| Joel T. Crenshaw | Dr. A. L. Hill | Clarence Miller |
| Carroll L. Cropper | John R. Hobbs | H. H. Miller |

| | | |
|---|---|---|
| W. H. Miller | Steve Pieratt | Elmore J. Thomas |
| Tyler Munford | Pat Rankin | |
| Rodes K. Myers | Mrs. M. B. Scott | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 306. An Act creating and establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road leading from Red Bush, Johnson County, Kentucky, to the Louisa–Sandy Hook road on Blaine in Lawernce County, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby created and established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at Red Bush, Kentucky, on the Paintsville and West Liberty road and running via Gilliam Branch Post Office; thence to Keaton Post Office; thence down Keaton Creek to Blaine Creek with said creek to Dr. C. B. Rice's farm, intersecting with the Louisa and Sandy Hook Project to be known and designated as Project No. ——.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| Robert E. Beatty | Ferd A. Gnau | C. C. McMasters |
| B. F. Bedford | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 322. An Act adding a road project to the Primary Road System of Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road running from the forks of the Julian-Newstead Road at or near Reeves Store in Christian County, Kentucky, to the intersection of the Cadiz-Maggie Road in Trigg County, Kentucky, via Julian in Christian County, Kentucky, following generally the route of the old Canton Road.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a Primary System of State Highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | B. F. Bedford | Corbett Brown |
| Harold L. Barnes | O. J. Bowen | Wallace Brown |
| Robert E. Beatty | Jas. C. Bright | Frank C. Bruton |

| | | |
|---|---|---|
| Hugh K. Bullitt | Frank Harris | Roy McWaters |
| J. A. Coleman | R. M. Harrison, Jr. | G. Samuel Milam |
| Joel T. Crenshaw | Dr. A. L. Hill | Clarence Miller |
| Carroll L. Cropper | John R. Hobbs | H. H. Miller |
| G. Cunningham | G. W. Howard | W. H. Miller |
| W. J. Curtis | Ira W. Hulette | Tyler Munford |
| S. S. Dickson | T. M. Johnson | Rodes K. Myers |
| Clarence E. Evans | W. L. Knuckles, Jr. | Steve Pieratt |
| Ralph Gilbert | Glenn W. Lane | Pat Rankin |
| Ferd A. Gnau | Alden L. Love | Mrs. M. B. Scott |
| C. Gottschalk | M. T. McCarthy | Elmore J. Thomas |
| J. S. Hall | Herschel McKinley | |
| W. Yancey Handy | C. C. McMasters | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 328. An Act creating and establishing as part of the State Primary System of Roads and Highways a road project, beginning at Rocky Hill in Edmonson County, and extending to Millstown on the Barren County line.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby created and established as a

part of the Primary System of Roads and Highways of the Commonwealth of Kentucky a road beginning at Rocky Hill in Edmonson County and extending to Millstown on the Barren County line.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to the terms provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing a Primary System of Roads and Highways, the same as though said road had been named in said original act as one of the projects of said Primary System of Highways of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | W. J. Curtis | T. M. Johnson |
| Harold L. Barnes | S. S. Dickson | W. L. Knuckles, Jr. |
| Robert E. Beatty | Clarence E. Evans | Glenn W. Lane |
| B. F. Bedford | Ralph Gilbert | Alden L. Love |
| O. J. Bowen | Ferd A. Gnau | M. T. McCarthy |
| Jas. C. Bright | C. Gottschalk | Herschel McKinley |
| Corbett Brown | J. S. Hall | C. C. McMasters |
| Wallace Brown | W. Yancey Handy | Roy McWaters |
| Frank C. Bruton | Frank Harris | G. Samuel Milam |
| Hugh K. Bullitt | R. M. Harrison, Jr. | Clarence Miller |
| J. A. Coleman | Dr. A. L. Hill | H. H. Miller |
| Joel T. Crenshaw | John R. Hobbs | W. H. Miller |
| Carroll L. Cropper | G. W. Howard | Tyler Munford |
| G. Cunningham | Ira W. Hulette | Rodes K. Myers |

| | | |
|---|---|---|
| Steve Pieratt | Mrs. M. B. Scott | |
| Pat Rankin | Elmore J. Thomas | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 329. An Act creating and establishing as part of the State Primary System of Roads and Highways a road project, beginning at Hildreth's Shop on Highway No. 80; thence to Berry's Store; thence to Finney, Kentucky; thence to Barren River at Port Oliver; thence to Gainesville in Warren, Barren and Allen Counties.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That there is hereby created and establish as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky a road beginning at Hildreth's Shop on Highway No. 80; thence to Berry's Store; thence to Finney, Kentucky; thence to Barren River at Port Oliver; thence to Gainesville in Warren, Barren and Allen Counties.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to the terms provided for in Chapter 17 of the Acts of the General Assembly of 1920,

establishing a Primary System of Roads and Highways, the same as though said road had been named in said original act as one of the projects of said Primary System of Highways of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| Robert E. Beatty | Ferd A. Gnau | C. C. McMasters |
| B. F. Bedford | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 338. An Act creating and establishing as part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at a point at the mouth of Trace Fork of Licking River, Magoffin County, Kentucky, to a point intersecting with the Quicksand-Hindman primary road of the Kentucky System of Highways.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at the mouth of Trace Fork of the Licking River in Magoffin County, Kentucky, and extending in a southern direction, up said Trace Fork of Licking River to its forks; thence up the right-hand fork of Trace Fork to the Breathitt County line; thence down the road fork and up Spring Fork of Quicksand Fork to the mouth of Road Branch; thence up Road Branch to the middle fork of Quicksand to the Knott County line; thence down the Big Branch to the middle fork of Quicksand and down middle fork of Quicksand to the mouth of Laurel Fork to a point intersecting with the Quicksand-Hindman primary road.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Clarence E. Evans | M. T. McCarthy |
| Harold L. Barnes | Ralph Gilbert | Herschel McKinley |
| Robert E. Beatty | Ferd A. Gnau | C. C. McMasters |
| B. F. Bedford | C. Gottschalk | Roy McWaters |
| O. J. Bowen | J. S. Hall | G. Samuel Milam |
| Jas. C. Bright | W. Yancey Handy | Clarence Miller |
| Corbett Brown | Frank Harris | H. H. Miller |
| Wallace Brown | R. M. Harrison, Jr. | W. H. Miller |
| Frank C. Bruton | Dr. A. L. Hill | Tyler Munford |
| Hugh K. Bullitt | John R. Hobbs | Rodes K. Myers |
| J. A. Coleman | G. W. Howard | Steve Pieratt |
| Joel T. Crenshaw | Ira W. Hulette | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | |
| S. S. Dickson | Alden L. Love | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 339. An Act creating and establishing as part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at a point on the O. & K. Railroad bed at or near Wilhurst, Breathitt County, Kentucky, and extending northward to Helechawa, Wolfe County, Kentucky.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That there be and there now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at a point on the O. & K. Railroad bed at Wilhurst, Breathitt County, Kentucky, extending thence northwardly practically with the old railroad bed to or near Helechawa, Wolfe County, Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Corbett Brown | Carroll L. Cropper |
| Harold L. Barnes | Wallace Brown | G. Cunningham |
| Robert E. Beatty | Frank C. Bruton | W. J. Curtis |
| B. F. Bedford | Hugh K. Bullitt | S. S. Dickson |
| O. J. Bowen | J. A. Coleman | Clarence E. Evans |
| Jas. C. Bright | Joel T. Crenshaw | Ralph Gilbert |

| | | |
|---|---|---|
| Ferd A. Gnau | W. L. Knuckles, Jr. | W. H. Miller |
| C. Gottschalk | Glenn W. Lane | Tyler Munford |
| J. S. Hall | Alden L. Love | Rodes K. Myers |
| Frank Harris | M. T. McCarthy | Steve Pieratt |
| R. M. Harrison, Jr. | Herschel McKinley | Pat Rankin |
| Dr. A. L. Hill | C. C. McMasters | Mrs. M. B. Scott |
| John R. Hobbs | Roy McWaters | Elmore J. Thomas |
| G. W. Howard | G. Samuel Milam | |
| Ira W. Hulette | Clarence Miller | |
| T. M. Johnson | H. H. Miller | —46 |

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 298. An Act to amend Sections 864, 864-a, 864-b, and 865-a, of Carroll's Kentucky Statutes of 1930, providing for the method of withdrawal of shares in building and loan associations and making of loans by building and loan associations, and repealing acts or parts of acts in conflict herewith.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Sections 864, 864-a, 864-b, and 865-a of Carroll's Kentucky Statutes of 1930 be and are hereby amended by

striking out all of Sections 864, 864-a, 864-b, and 865-a, of Carroll's Kentucky Statutes of 1930, so that when amended and re-enacted said sections shall read as follows:

Section 864: WITHDRAWALS. A member may withdraw his or her unpledged shares at any time by giving thirty (30) days' written notice of his or her desire to do so. Upon the filing of such written application to withdraw, the association shall number and file the same in the order received and shall, after thirty days from the receipt of such application to withdraw, either pay the holder the value thereof, in part or in full as requested, or apply at least one-half of the receipts of the association as hereinafter provided from its shareholders and borrowers to the withdrawal of such shares in numerical order. Shareholders filing written application for the withdrawal of their shares shall remain shareholders until paid, and shall not become creditors.

Provided, further that an association shall not be required to pay out on withdrawals more than one-half of the net weekly receipts of such association after the payment of current dividends, and after making provision for anticipated dividends and the payment of said dividends, repaying money borrowed, and after paying administration expenses of the association, taxes, insurance and repairs on property owned, municipal assessments, and any other necessary disbursements.

Provided further that should one member apply for a withdrawal of more than Five Hundred ($500.00) Dollars, he shall be paid $500.00 in order when reached, and his application shall be charged with such amount as paid and shall be renumbered and placed at the end of the list of applications to withdraw, and thereafter upon again being reached, shall be paid a like amount, but not to exceed the value of his shares, and until paid in full shall continue to be so paid, renumbered, and replaced at the end of the list until paid in full. A member withdrawing, when paid, shall receive the full amount paid in as dues or paid-up stock together with only such dividends

as have been declared and credited on said shares less all fines, interest or other charges.

Provided further, subject to the approval of the Board of Directors any borrowing member, who shall fully satisfy the directors of his inability to pay, may be permitted to withdraw from his or her dues a sum sufficient to be applied to the payment of taxes and assessments for municipal improvements, and that the dues so withdrawn shall be applied for such purpose under the supervision of the association, and that the receipts evidencing such payments shall be filed in the office of the association with the note and mortgage of the members.

And further, that the Board of Directors may, in their discretion apply any of the money paid in by borrowing members, as dues, to the payment of premiums for fire and tornado insurance.

Section 864-a. WITHDRAWAL INVOLUNTARY. The directors may, in their discretion, under the rules made by them in conformity with by-laws retire the unpledged shares, in the order of the issue of such shares, by enforcing withdrawal of the same and the owners shall be paid the full value of their shares together with six per cent interest thereon from date of last preceding distribution of profits, less any unpaid fines, provided, that all fully paid, prepaid or matured shares that may be outstanding shall first be retired.

Section 864-b. MATURED SHARES. When the dues paid in with the dividends credited on any unpledged shares reach the par value of shares as fixed by the articles of incorporation, all payments of dues shall cease, and if the member so desires he or she shall be entitled to receive the value as fixed by the articles of incorporation with interest at such rate as may be fixed by the Board of Directors. Payments on withdrawal of matured shares shall be otherwise subject to the same restrictions and limitations as payments on other shares as set out in Section 864.

Section 865-a. LOANS; HOW SECURED; PENAL-

TIES AND FAILURE TO OFFER GOOD SECURITY. For every loan made a note secured by first mortgage on real estate shall be given accompanied by a transfer and pledge of shares of the borrowers. The shares so pledged shall be held by the corporation as collateral security for the performance of the conditions of said note and mortgage. The note and mortgage shall provide the number of shares pledged and the amount of money advanced thereon and shall be conditioned for the payment as provided in the by-laws, of the monthly or weekly dues on said shares and the interest and premiums, if any, upon the loan, together with all fines, upon payments in arrears until said shares shall reach the value fixed by articles of incorporation or the by-laws or said loan is otherwise canceled and discharged.

Paid up, Installment and other shares without other security may, at the discretion of the directors, be pledged as security for loans to an amount not exceeding 80 per cent of their value, as determined at the time of application for said loan.

If the borrower neglects to offer security satisfactory to the directors within the time prescribed by the by-laws, his right to the loan shall be forfeited and he may, in the discretion of the board of directors, be charged with one month's interest at the rate for which said money is loaned together with all expenses, if any, incurred and the money appropriated for the loan be reloaned at the next or any subsequent meeting, of the Board of Directors.

Section 865-b. All acts or parts of acts in conflict herewith (be and the same) are hereby repealed. The general powers granted herein shall not be restricted by the giving of special powers.

Whereas no provision now exists for the payment of withdrawals of small amounts out of turn, and in all associations in the State of Kentucky there are members who are holding investments of less than $100.00 who are actually in dire distress under the present economic conditions, it is there-

fore declared that an emergency exists and this act shall take effect from and after its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | T. P. Fitzpatrick | C. C. McMasters |
| Harold L. Barnes | L. J. Gammon | Roy McWaters |
| Reuben J. Boling | Ferd A. Gnau | Clarence Miller |
| O. J. Bowen | J. S. Hall | H. H. Miller |
| Jas. C. Bright | Judson Harmon | W. H. Miller |
| Corbett Brown | Frank Harris | James B. Milliken |
| Wallace Brown | R. M. Harrison, Jr. | Tyler Munford |
| Hugh K. Bullitt | J. Joseph Hettinger | Richard H. Nufer |
| Mrs. Cecil Cantrill | Dr. A. L. Hill | Steve Pieratt |
| Charles Chandler | John R. Hobbs | Kleber F. Price |
| J. A. Coleman | Ira W. Hulette | Jos. W. Schneider |
| D. B. Coughlin | G. C. Johnson | Lafe J. Spencer |
| Joel T. Crenshaw | J. H. King | Lyle C. Tackett |
| Carroll L. Cropper | Leo King | John W. Taylor |
| G. Cunningham | John Kirtley | J. Sterling Towles |
| W. J. Curtis | W. L. Knuckles, Jr. | Starling B. Tracy |
| R. A. Demunbrun | M. T. McCarthy | Henry T. Ward |
| George Dunlap | George R. McIntosh | —53 |

Those who voted in the negative were—

| | | | |
|---|---|---|---|
| Carroll D. Asbury | J. S. Mattingly | J. B. Wicker | |
| Garland Embry | Elmore J. Thomas | | |
| Alden L. Love | Robert E. Webb | | —7 |

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 31. An Act permitting S. G. Profitt, as Administrator of the estate of Henry Helton, to sue the Kentucky State Highway Commission or the Commonwealth of Kentucky for the alleged wrongful death.

Said resolution is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That: WHEREAS, one Henry Helton, a resident of Harlan County, Kentucky, was struck and killed by a truck owned and operated at the time by the State Highway Department of Kentucky, on March the 19th, 1933, while walking along the sidewalks of the city of Harlan, Kentucky, on his way to church; and,

Whereas, S. G. Profitt, a male citizen and over the age of twenty-one years, and under no legal disability, is qualified and acting as administrator of his estate; and,

Whereas, no compensation has been received by him or through S. G. Profitt, for the alleged wrongful death as aforesaid: *Therefore,*

*Be it Resolved by the General Assembly of the Commonwealth of Kentucky:*

That said S. G. Profitt, as Administrator of the estate of Henry Helton, be and he is hereby empowered to file a civil suit in the Harlan Circuit Court against said Kentucky State Highway Commission or the Commonwealth of Kentucky for the alleged death of said Helton and be and he is hereby empowered and permitted to prosecute said civil action in the Civil Courts of this State until finally terminated or otherwise adjusted, subject however, to limitation of recovery, by the Workmen's Compensation Law.

In event of recovery or settlement of same there is hereby appropriated out of the Treasury of the Commonwealth of Kentucky a sufficient sum to pay the same from the General fund and the Auditor is hereby directed to draw his warrant on said Treasurer for the same, in favor of said Administrator.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Mrs. Cecil Cantrill | S. S. Dickson |
| Carroll D. Asbury | Charles Chandler | Garland Embry |
| Levi Baker | J. A. Coleman | Clarence E. Evans |
| Harold L. Barnes | Sidney J. Collins | Rudy Ferguson |
| Robert E. Beatty | Joel T. Crenshaw | T. P. Fitzpatrick |
| Reuben J. Boling | Carroll L. Cropper | Kelly J. Francis |
| Jas. C. Bright | G. Cunningham | C. Gottschalk |
| Wallace Brown | W. J. Curtis | J. S. Hall |
| Frank C. Bruton | Harry Davis | W. Yancey Handy |

| | | |
|---|---|---|
| Judson Harmon | C. C. McMasters | Avery Sartin |
| Frank Harris | Roy McWaters | Jos. W. Schneider |
| R. M. Harrison, Jr. | J. S. Mattingly | Mrs. M. B. Scott |
| J. Joseph Hettinger | G. Samuel Milam | Harry Sparks |
| Dr. A. L. Hill | Clarence Miller | Lafe J. Spencer |
| G. W. Howard | W. H. Miller | Elmore J. Thomas |
| Ira W. Hulette | Tyler Munford | J. Sterling Towles |
| T. M. Johnson | Richard H. Nufer | Starling B. Tracy |
| Leo King | Robert A. Persky | Henry T. Ward |
| W. L. Knuckles, Jr. | James I. Peters | Robert E. Webb |
| Glenn W. Lane | M. D. Phelps | J. B. Wicker |
| Alden L. Love | Kleber F. Price | |
| M. T. McCarthy | L. D. Sandlin | —64 |

Resolved that the title thereof be as aforesaid.

Mr. Persky moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 113. An Act permitting S. G. Profitt as next friend of Marie Helton, an infant, to sue the Kentucky State Highway Commission for her alleged wrongful injuries and providing for payment thereof.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That: Whereas, one Marie Helton, an infant under the age of 21 years, and a resident of Harlan County, Kentucky, was struck and seriously and permanently injured by a truck owned and operated at the time by the State Highway De-

partment of Kentucky, on March the 19, 1933, while walking along the sidewalks of the city of Harlan, Kentucky, on her way to church; and,

Whereas, S. G. Profitt, a male citizen and over the age of 21 years, and under no legal disability, is qualified and acting as the next friend of the said Marie Helton; and,

Whereas, no compensation has been received by her, or through her next friend, S. G. Profitt, for the alleged wrongful injuries as aforesaid: *Therefore,*

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That said S. G. Profitt, as next friend of Marie Helton, be and he is hereby empowered to file a civil suit in the Harlan Circuit Court against said Kentucky State Highway Commission for the alleged injuries of said Marie Helton and be and he is hereby empowered and permitted to prosecute said civil action in the Civil Courts of this State until finally terminated or otherwise adjusted.

If, and when a recovery against the Commonwealth of Kentucky, or, and State Highway Commission, is had, the amount of said recovery is hereby appropriated and the Auditor of Public Accounts is hereby directed to draw his warrant upon the treasury for the payment of same, that the recovery herein shall be limited to and not exceeding $6,000.00.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Ralph Gilbert | Clarence Miller |
| Carroll D. Asbury | J. S. Hall | H. H. Miller |
| Levi Baker | W. Yancey Handy | W. H. Miller |
| Harold L. Barnes | Frank Harris | Tyler Munford |
| Reuben J. Boling | R. M. Harrison, Jr. | Kleber F. Price |
| O. J. Bowen | J. Joseph Hettinger | L. D. Sandlin |
| Wallace Brown | Dr. A. L. Hill | Avery Sartin |
| Charles Chandler | John R. Hobbs | Mrs. M. B. Scott |
| J. A. Coleman | Ira W. Hulette | Lafe J. Spencer |
| Sidney J. Collins | T. M. Johnson | Elmore J. Thomas |
| Joel T. Crenshaw | W. L. Knuckles, Jr. | Starling B. Tracy |
| G. Cunningham | Glenn W. Lane | Henry T. Ward |
| W. J. Curtis | Alden L. Love | Robert E. Webb |
| S. S. Dickson | M. T. McCarthy | J. B. Wicker |
| Garland Embry | Roy McWaters | B. M. Williams |
| T. P. Fitzpatrick | J. S. Mattingly | |
| W. J. Garnett | G. Samuel Milam | —49 |

Resolved that the title thereof be as aforesaid.

Mr. Williams moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 304. An Act to repeal and re-enact Section 373 of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, relating to the bonds to be executed by Circuit and County Court Clerks; form; sureties; approval; amount of bond; recording and renewal of; suits on.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That Section 372 of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby repealed so that when re-enacted it will read as follows:

§ 2. Every clerk, before he enters on the duties of his office, shall execute bond to the Commonwealth, with incorporated surety company authorized and qualified to become surety on bonds in this state or with solvent and responsible individuals as surety, approved by the court, in substance as follows: We, A. B., clerk of....., and C. D., his surety, do hereby covenant and agree with the Commonwealth of Kentucky that the said A. B. will faithfully discharge all and every duty of said office. Given under our hands this .....day of .....

§ 3. The covenant of the Circuit Court Clerk shall be executed before and attested by the County Judge, to whom is given the authority to approve or reject the sureties offered, and said bond shall be recorded in the clerk's office of the county court, and it shall be the duty of the County Judge to return to the circuit court, at its next ensuing term a certificate of the oath administered, and accompanied by the original bond he has taken; whereupon the Circuit Judge shall pass upon the sufficiency of said bond. If he approve, the bond shall be entered upon the order book of the circuit court; if he reject, the clerk shall, at that term of court, execute a satisfactory bond.

§ 4. The covenant of the County Clerk shall be examined and approved by the County Judge and in counties containing cities of the first class, the bond shall be in the sum of not less than $50,000.00; in counties containing cities of the second class the bond shall be in the sum of not less than $30,000.00; in counties containing cities of the third class, and counties containnig a population of 40,000 or over and not containing a city of the second or third class the bond shall be in the sum of not less than $10,000.00; and in all other counties the bond shall be in a sum of not less than $5,000.00.

§ 5. If either clerk shall fail to execute a sufficient bond,

he shall be punished as provided by law. The covenant shall be entered on the records of the county court; and the covenant of the Circuit Clerk, in addition thereto, shall be entered on the order book of the circuit court, as above provided; and a copy shall be transmitted by each clerk within one month after its approval by the county court, to the Auditor of Public Accounts, to be by him recorded and preserved.

Clerks shall renew their covenants every two years, or oftener, if required by the Court, and any person aggrieved may, as relator, institute suit on such covenant. It shall not be satisfied until every person aggrieved has been recompensed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | G. Cunningham | Ira W. Hulette |
| Carroll D. Asbury | W. J. Curtis | G. C. Johnson |
| Levi Baker | S. S. Dickson | T. M. Johnson |
| Harold L. Barnes | Garland Embry | Leo King |
| O. J. Bowen | Clarence E. Evans | John Kirtley |
| Jas. C. Bright | W. J. Garnett | W. L. Knuckles, Jr. |
| Corbett Brown | Ralph Gilbert | Alden L. Love |
| Wallace Brown | J. S. Hall | M. T. McCarthy |
| Charles Chandler | W. Yancey Handy | Roy McWaters |
| J. A. Coleman | Frank Harris | J. S. Mattingly |
| Joel T. Crenshaw | R. M. Harrison, Jr. | L. B. Meadors |
| Carroll L. Cropper | Dr. A. L. Hill | G. Samuel Milam |

| | | |
|---|---|---|
| H. H. Miller | Waylon Rayburn | J. Sterling Towles |
| W. H. Miller | L. D. Sandlin | Starling B. Tracy |
| Richard H. Nufer | Avery Sartin | Henry T. Ward |
| James I. Peters | Mrs. M. B. Scott | Robert E. Webb |
| M. D. Phelps | Harry Sparks | J. B. Wicker |
| Kleber F. Price | Lafe J. Spencer | |
| G. M. Pritchett | Elmore J. Thomas | |
| Pat Rankin | Harry B. Thornton | —57 |

Resolved that the title thereof be as aforesaid.

Mr. Towles moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 266. An Act to amend section two thousand, three hundred eighty (2380), sub-section thirty-four (34), Baldwin's Revision of Carroll's Kentucky Statutes (1930), being Chapter 3 of the Acts of the General Assembly of the Commonwealth of Kentucky, at its Session of 1932, relating to the issue of Drainage Bonds, and the nature and payment of same by repealing and re-enacting same.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

Amend Section 2380, Sub-section 34, Baldwin's Revision of Carroll's Kentucky Statutes, 1930, being Chapter 3 of the Acts of the General Assembly of the Commonwealth of Kentucky, at its 1932 Session, by repealing and re-enacting said section so that when said section is re-enacted, it shall read as follows:

"At the expiration of thirty days after the publication, the board of drainage commissioners may divide the unpaid assessments into annual installments, not less than two nor more than thirty, which shall draw interest at the rate of six per cent (6%) per annum, payable annually from thirty days after date of publication, and may issue bonds to anticipate the collection thereof, which bonds shall mature in series to correspond with the said installments into which the unpaid assessment is divided, and which bonds shall draw interest at the rate of six per cent (6%) per annum, payable annually, and be payale at some place to be designated by the board of drainage commissioners; and the said bonds so issued shall be for the exclusive use and benefit of said drainage district and shall designate on the face thereof the name of the said district and the purpose for which they were issued. The assessment, and each installment thereof, shall constitute a first and paramount lien, second only to state and county taxes upon the lands assessed in said district, for the construction of the work ordered to be done therein upon which the assessment has not been fully paid. The drainage commissioners, in dividing the unpaid assessment into installments, shall fix the time for the payment thereof in each respective year so that each installment shall be due at least one hundred and twenty days before the bonds in that series which have been issued to anticipate the collection of that installment shall become due, and it shall be the duty of each landowner whose land is in lien for the payment of said bonds to pay the installment due thereon against his land with all interest due at that time on that installment and deferred installments, to the treasurer on or before the time fixed by the drainage commissioners for the maturity of the said installment. Upon the first Monday after the said installment is due, the board of drainage commissioners shall meet and ascertain the party or parties whose installment is in default if any, and shall on said date issue warrants directed to the sheriff or other collecting officer directing him forthwith to

collect the same in default. Said sheriff or collecting officer shall collect said installment with interest that is due on that and deferred installments, together with a penalty of six per cent (6%) thereon as state and county taxes are collected, and settle therefor with said board of drainage commissioners within sixty days from time the same were certified to him, and pay to said board the moneys so collected. And all lands upon which the said moneys due on the said installment have not been collected at the end of the said sixty days, the said Sheriff shall forthwith advertise and sell in the same manner as is provided in the case of state and county taxes. The said sale so made to be subject to the future installments of the said assessments, and at the expiration of ninety days from the date of the original certification of the installment to the said sheriff or other collecting officer, the said sheriff or other collecting officer shall make final settlement with said board of drainage commissioners and pay to them all moneys in his hands, and in default thereof said commissioners may compel said sheriff to make said settlement by rule against him issued by the county court in which said proceedings are pending after giving him five days' notice thereof in writing. In case any land or lands be not purchased at said sale, the said sheriff or other collecting officer shall purchase said land or lands for said district, and in his final settlement with said drainage commissioners shall take credit therefor. The sheriff or collecting officer shall certify each of said sales to the county court clerk, as required in the sale of lands for state and county taxes, and said clerk shall record such sale in the land sale book kept by him. For collecting the assessments so certified to him the sheriff or other collecting officer shall be paid by the said drainage commissioners the same fees allowed him for collecting state and county taxes in the same manner; and for recording said certificate of sale the said clerk shall be allowed and paid the same fees allowed him by law for similar work in reference to state and county taxes. The owner of such real estate, or his representatives,

heirs or assigns, shall have the right to redeem said land from said sale as is now provided for the redemption of lands sold for state and county taxes, but only upon the same terms and conditions and within the same time as allowed in such cases. Any sheriff or collecting officer who shall fail to settle and pay off any installment of assessment with interest as herein provided, within the time as herein provided, shall be liable to the board of drainage commissioners for said district for the full amount so certified to him, with interest, which may be collected from the sheriff or other collecting officer by rule issued against him by the county court in which the proceeding is pending on notice of five days in writing previously given to him in reference thereto. The sheriff or other collecting officer shall be liable upon his bonds for his acts done hereunder, and for the faithful performance of his duties prescribed herein.

The provisions herein do not deprive and are not to be construed as depriving the holders of the bonds from having all rights by mandamus or otherwise against the drainage commissioners, the sheriff and all other officers or agents of said district having duties to perform hereunder.

That wherever bonds have been issued to anticipate the collection of the assessments and the various installments thereof which have been levied and assessed for the purpose of providing funds for the reclamation of lands and/or the construction, completion and maintenance of drainage districts and drains as provided herein and such installments or any part thereof shall not be paid on the date or dates of their respective maturities, then the board of drainage commissioners may in their discretion, give notice by publication in one issue of some newspaper of general circulation in the district, if there be one, and also by posting a written or printed notice at the door of the courthouse, in counties where the land assessed is located and at five conspicuous places in the drainage district that they propose to issue renewal or refunding bonds for the purpose of raising funds to retire the

outstanding bonds which were issued to anticipate collection of said installment; said notice shall set forth the amount of bonds to be issued, the rate of interest they are to bear and the time when payable. Any landowner then in default in the payment of his installment or any part thereof, and not wanting to pay interest on the proposed renewal or refunding bonds, may, within thirty days after the publication of said notice, pay the county treasurer the full amount of said installment together with interest from its date of maturity and have his land released therefrom.

Each and every person in default in the payment of said installment or any part thereof and interest thereon, and owning land in the district in lieu for payment of same, and who shall not have fully paid the same on or before the expiration of 30 days from the publication of the notice provided for herein, shall be deemed as consenting to the issuing of the refund or renewal bonds as herein provided for, and in consideration of the right to pay said installment in the manner hereinafter provided for, he thereby waives his right to any defense against the collection of same.

At the expiration of 30 days after the publication of the notice herein provided for, the board of drainage commissioners shall divide said unpaid installment into sub-installments, not less than two nor more than 30, which shall bear interest at the rate of six per cent (6%) per annum, payable annually from the date of publication, and may issue bonds to anticipate the collection thereof, which bonds shall mature in series to correspond with the said sub-installments into which the unpaid installment is divided and which bonds shall draw interest at the rate of six per cent (6%) per annum, payable annually and be payable at some place to be designated by the board of drainage commissioners; and said bonds so issued shall be for the exclusive use and benefit of said drainage district, the proceeds thereof to be used to pay bonds issued to anticipate collection of said original installment, and said bonds shall designate on the face thereof the name of

the said district and the purpose for which they were issued. The said installment and each sub-installment thereof, shall constitute a first and paramount lien, second only to state and county taxes, upon the lands assessed in said district. The lien to secure payment of each and all of said sub-installments shall be of the same dignity and rank and in respects co-equal with the lien of the original installment.

The said renewal or refunding bonds and the said sub-installments shall, with reference to the time and place of payment, the manner of collecting delinquent sub-installments, the certification thereof to the sheriff and in all other particulars not specifically set out herein, be governed in all respects by the provisions herein with reference to original installments.

In view of the widespread delinquency of taxes due the various drainage districts throughout the Commonwealth and since there are at present numerous drainage districts which will be unable to retire outstanding drainage bonds at their respective maturities, and in view of the purpose of this bill, namely, to extend the time in which such installments of drainage taxes can be paid, an emergency is hereby declared to exist and this Act shall take effect upon its passage.''

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | B. F. Bedford | O. J. Bowen |
| Levi Baker | Reuben J. Boling | Jas. C. Bright |

| | | |
|---|---|---|
| Wallace Brown | Dr. A. L. Hill | James B. Milliken |
| Charles Chandler | John R. Hobbs | Tyler Munford |
| J. A. Coleman | Ira W. Hulette | Robert A. Persky |
| Sidney J. Collins | G. C. Johnson | Kleber F. Price |
| Joel T. Crenshaw | T. M. Johnson | G. M. Pritchett |
| Carroll L. Cropper | J. H. King | Pat Rankin |
| C. Cunningham | Leo King | W. P. Renfro |
| W. J. Curtis | John Kirtley | L. D. Sandlin |
| Harry Davis | W. L. Knuckles, Jr. | Avery Sartin |
| R. A. Demunbrun | Glenn W. Lane | Mrs. M. B. Scott |
| S. S. Dickson | Alden L. Love | John W. Taylor |
| George Dunlap | M. T. McCarthy | Elmore J. Thomas |
| Garland Embry | Herschel McKinley | Starling B. Tracy |
| T. P. Fitzpatrick | Roy McWaters | Henry T. Ward |
| W. J. Garnett | J. S. Mattingly | Robert E. Webb |
| Ralph Gilbert | L. B. Meadors | J. B. Wicker |
| Frank Harris | G. Samuel Milam | B. M. Williams |
| R. M. Harrison, Jr. | H. H. Miller | |
| J. Joseph Hettinger | W. H. Miller | —64 |

Resolved that the title thereof be as aforesaid.

Mr. Lane moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 330. An Act to regulate, control and fix standard weights of wheat flour and the size of packages containing same; and to provide penalties for the violation of this Act.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. Each package shall have the net weight printed or plainly marked on it.

Provided, however, that the provisions of this section shall not apply to the retailing of flour direct to the consumer from bulk stock or to the bakery trade or to the exchanging of wheat for flour by mills grinding for toll and that nothing herein contained shall be held to apply to any wheat product packed and distributed as a specialty, in identified original package, the net contents of which weight is less than five (5) pounds.

§ 2. Be it further enacted, that any violation of this Act shall be a misdemeanor and upon conviction, the offender shall be fined not less than twenty-five dollars ($25.00) nor more than five hundred dollars ($500.00) for each offense.

§ 3. Be it further enacted, that all acts or parts of acts in conflict herewith be repealed.

§ 4. Be it further enacted, that this Act shall take effect immediately upon its passage; the public welfare requiring it.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Reuben J. Boling | Sidney J. Collins |
| Carroll D. Asbury | O. J. Bowen | Joel T. Crenshaw |
| Levi Baker | Jas. C. Bright | Carroll L. Cropper |
| Harold L. Barnes | Wallace Brown | G. Cunningham |
| Marshall Barnes | Charles Chandler | Harry Davis |
| B. F. Bedford | J. A. Coleman | R. A. Demunbrun |

| | | |
|---|---|---|
| S. S. Dickson | W. L. Knuckles, Jr. | M. D. Phelps |
| George Dunlap | Glenn W. Lane | Kleber F. Price |
| Garland Embry | Alden L. Love | G. M. Pritchett |
| T. P. Fitzpatrick | M. T. McCarthy | Pat Rankin |
| W. J. Garnett | Herschel McKinley | Waylon Rayburn |
| Ralph Gilbert | Roy McWaters | L. D. Sandlin |
| C. Gottschalk | J. S. Mattingly | Avery Sartin |
| Frank Harris | L. B. Meadors | Mrs. M. B. Scott |
| R. M. Harrison, Jr. | G. Samuel Milam | Harry Sparks |
| J. Joseph Hettinger | Clarence Miller | Lafe J. Spencer |
| Dr. A. L. Hill | H. H. Miller | Elmore J. Thomas |
| Ira W. Hulette | W. H. Miller | Starling B. Tracy |
| G. C. Johnson | James B. Milliken | Henry T. Ward |
| T. M. Johnson | Rodes K. Myers | Robert E. Webb |
| J. H. King | Robert A. Persky | J. B. Wicker |
| John Kirtley | James I. Peters | B. M. Williams |

—66

Resolved that the title thereof be as aforesaid.

Mr. Gilbert moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 129. An Act to amend and re-enact section one thousand seven hundred and thirty-two of the Kentucky Statutes, Carroll's Edition, one thousand nine hundred and thirty, relating to fees.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That section one thousand seven hundred and thirty-two of the Kentucky Statutes, Carroll's Edition, one thousand nine hundred and thirty, be and the same is hereby amended and re-enacted so that when amended and re-enacted the same will read as follows:

"County judges for all services rendered in quarterly courts so far as same apply when the jurisdiction is concurrent with the circuit courts, shall be entitled to charge and receive the same fees allowed by law to clerks of circuit courts for similar services.

In all cases or proceedings in said courts where the amount in controversy, exclusive of interest and costs, is fifty dollars ($50.00), or under and for certain other services rendered in the performance of other official duties hereinafter specified, the fees of county judges so far as the same apply, shall be: For issuing each summons or warrant not hereinafter provided for, each order of attachment, order of injunction, order of delivery or supersedeas, twenty-five cents; for each copy thereof, fifteen cents; for entering return thereon, ten cents; for each subpoena for a witness or witnesses, twenty cents; for each attachment of a witness or witnesses, twenty-five cents; for each original judgment, twenty-five cents; for recording same, twenty-five cents; for each execution, twenty-five cents; for each copy of a judgment or execution, when ordered, twenty-five cents; for each affidavit to procure an attachment, warrant of arrest in a civil case, order of delivery, or to prove a demand against a decedent's estate, if the county judge prepares the affidavit, twenty-five cents; for each distress warrant for rent, twenty-five cents; for taking each recognizance, twenty-five cents; for swearing a person and giving a certificate thereof, twenty-five cents; for each order of arrest in a civil case, twenty-five cents; for each copy thereof, twenty-five cents; for filing a claim or appeal or any paper or pleading in a case, each ten cents; for docketing a cause at each term, five cents; for endorsing steps at each term, five cents; for indexing each name of a party to an

action, proceeding or execution, to be charged once in each case, five cents; for entering or noting of record in an order book each order or direction of the court, for an order filing any pleading or other paper, each motion, demurrer, disposition thereof or ruling of the court or any other step taken, each twenty cents; for taking each bond provided or required by law in a civil case, twenty-five cents; for each copy, ten cents; for each writ of forcible entry and detainer, fifty cents; for presiding at and superintending trial of writ of forcible entry and detainer, per day, one dollar and fifty cents; for certifying copy of judgment and amount of costs an appeal, twenty-five cents; for taxing costs of each party or parties at each term when judgment for costs is rendered, or on final judgment, ten cents; for entering each witness' attendance and giving certificates thereof in a civil case, fifteen cents; for each trial by a jury, including all services incident thereto in a civil case, sixty cents; for entering and giving a post notice of an estray, waif-boat, watercraft or wreck, twenty-five cents; for order causing bulls, studs or jacks, running at large to be altered, twenty-five cents; for order commanding owner of distempered cattle to confine them, twenty-five cents; for copy of record certified, for each twenty words, two cents; for holding inquests when coroner cannot attend, a county judge shall receive the same fees allowed a coroner, for settling accounts of fiduciaries county judges shall receive per day, one dollar and fifty cents.

That the County Judges, or their Clerks, of this Commonwealth shall collect the sum of one dollar and fifty cents ($1.50) on each original action or suit, filed in the quarterly court, commencing with original process. Said sum to be collected when such action or suit is filed in the Quarterly Court, and applied as a credit on the costs accruing in such action or suit, and shall not affect their fees now prescribed by law.

The fees hereinabove provided shall apply to civil cases only and to county judges only.

Owing to the large number of cases now pending before the Judge of the County Court of a city of the first class, and the large number of cases that will be filed in said Court because no deposits are now required on cases filed in said Court, an emergency is hereby declared to exist, and this Act shall take effect and be in force upon and after the passage and approval thereof by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | G. Cunningham | Ira W. Hulette |
| Carroll D. Asbury | W. J. Curtis | G. C. Johnson |
| Levi Baker | R. A. Demunbrun | T. M. Johnson |
| Harold L. Barnes | S. S. Dickson | Leo King |
| B. F. Bedford | George Dunlap | John Kirtley |
| Reuben J. Boling | Garland Embry | W. L. Knuckles, Jr. |
| O. J. Bowen | T. P. Fitzpatrick | Glenn W. Lane |
| Jas. C. Bright | W. J. Garnett | M. T. McCarthy |
| Wallace Brown | Ralph Gilbert | Herschel McKinley |
| Frank C. Bruton | Ferd A. Gnau | C. C. McMasters |
| Mrs. Cecil Cantrill | W. Yancey Handy | J. S. Mattingly |
| Charles Chandler | Judson Harmon | L. B. Meadors |
| J. A. Coleman | Frank Harris | G. Samuel Milam |
| Sidney J. Collins | R. M. Harrison, Jr. | H. H. Miller |
| D. B. Coughlin | J. Joseph Hettinger | W. H. Miller |
| Joel T. Crenshaw | Dr. A. L. Hill | James B. Milliken |
| Carroll L. Cropper | John R. Hobbs | Richard H. Nufer |

| | | |
|---|---|---|
| Robert A. Persky | L. D. Sandlin | John W. Taylor |
| M. D. Phelps | Avery Sartin | Elmore J. Thomas |
| Kleber F. Price | Jos. W. Schneider | Starling B. Tracy |
| G. M. Pritchett | Mrs. M. B. Scott | Henry T. Ward |
| Waylon Rayburn | Harry Sparks | Robert E. Webb |
| W. P. Renfro | Lafe J. Spencer | J. B. Wicker |

—66

Resolved that the title thereof be as aforesaid.

Mr. Persky moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 98. An Act relating to adopted children; providing the method and under what circumstances the adoption may be annulled; and providing that the adoption may be annulled at any time after the child has passed its 17th birthday.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. If an adopted child becomes so disobedient to his or her foster parents that the peace and happiness of their home is thereby destroyed, the adoption may be annulled at any time after the child has passed its 17th birthday, provided that both the foster parents and the court, person, persons, or institution entering into such adoption contract shall mutually agree to such annullment.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Garland Embry | Alden L. Love |
| Carroll D. Asbury | T. P. Fitzpatrick | M. T. McCarthy |
| B. F. Bedford | W. J. Garnett | C. C. McMasters |
| Reuben J. Boling | W. Yancey Handy | L. B. Meadors |
| O. J. Bowen | Judson Harmon | G. Samuel Milam |
| Jas. C. Bright | R. M. Harrison, Jr. | Rodes K. Myers |
| Wallace Brown | J. Joseph Hettinger | Richard H. Nufer |
| Frank C. Bruton | Dr. A. L. Hill | Waylon Rayburn |
| Charles Chandler | John R. Hobbs | L. D. Sandlin |
| J. A. Coleman | Ira W. Hulette | Avery Sartin |
| Joel T. Crenshaw | G. C. Johnson | Lafe J. Spencer |
| Carroll L. Cropper | T. M. Johnson | John W. Taylor |
| G. Cunningham | J. H. King | J. Sterling Towles |
| W. J. Curtis | Leo King | Henry T. Ward |
| Harry Davis | John Kirtley | Robert E. Webb |
| R. A. Demunbrun | W. L. Knuckles, Jr. | J. B. Wicker |
| S. S. Dickson | Glenn W. Lane | —50 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | Ferd A. Gnau | M. D. Phelps |
| Harold L. Barnes | Frank Harris | Kleber F. Price |
| Corbett Brown | Herschel McKinley | W. P. Renfro |
| Mrs. Cecil Cantrill | Roy McWaters | Jos. W. Schneider |
| Sidney J. Collins | J. S. Mattingly | Mrs. M. B. Scott |
| D. B. Coughlin | H. H. Miller | Elmore J. Thomas |
| George Dunlap | Robert A. Persky | |
| Ralph Gilbert | James I. Peters | —22 |

Resolved that the title thereof be as aforesaid.

Mr. Chandler moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 258. An Act relating to sales of real estate held by trustees under express trust.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. The trustee of an express trust may sell and convey any interest in real estate held by said trustee under an expressed trust in all cases where the court under existing or future laws would have jurisdiction to order the sale of said real estate or said interest therein at judicial sale and said sales shall be made upon such terms and conditions as the trustee shall deem for the best interest of the trust estate, provided, however, that no such sale shall be consummated until same shall have been approved by the judge of the circuit court in the county where the land or portion thereof is located in an equitable action filed by the trustee against all persons in being having an interest in said property, the petition whereof shall set forth the reasons for the sale and the terms thereof and proof taken by depositions duly filed or on oral proof before the chancellor which proof shall thereafter be transcribed and filed in the record of the case which proof shall not be taken until after summons shall have been served upon the defendants to said suit and until after the appointment of a guardian *ad litem* for any said defendants who are under disability, and which proof shall be taken only on notice to

said defendants and to the said guardian *ad litem,* if any there be, and which proof shall satisfy the chancellor that the sale is advisable and the price satisfactory, and after said guardian *ad litem,* if any there be, shall have made a defense or shall have filed a report stating that after a careful examination of the case he is unable to make a defense; nor until the said trustee shall have executed bond with approved sureties in an amount not less than the purchase price of the land in substance as follows:

"We, ....., principal and....., sureties, bind ourselves to..... that the said....., as trustee, will faithfully discharge all his duties as such and will comply with the judgment and orders of the court in this action will account for, pay and deliver to the parties entitled thereto all money or property due or belonging to such parties when requested"; nor until the chancellor has filed with the clerk of the court a written order approving the sale and bond, which order and bond shall be recorded by the clerk in the order book of the court.

§ 2. This Act shall not be construed as limiting in any way the power of a trustee to sell and convey real estate held in trust where authorized so to do by the instrument creating the trust or otherwise authorized by law so to do.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | George Dunlap | M. T. McCarthy |
| Levi Baker | Garland Embry | C. C. McMasters |
| Harold L. Barnes | T. P. Fitzpatrick | J. S. Mattingly |
| B. F. Bedford | W. J. Garnett | L. B. Meadors |
| Reuben J. Boling | Ralph Gilbert | G. Samuel Milam |
| Robert E. Beatty | Ferd A. Gnau | Clarence Miller |
| O. J. Bowen | W. Yancey Handy | H. H. Miller |
| Corbett Brown | Judson Harmon | W. H. Miller |
| Wallace Brown | Frank Harris | James B. Milliken |
| Frank C. Bruton | J. Joseph Hettinger | Robert A. Persky |
| Mrs. Cecil Cantrill | Dr. A. L. Hill | James I. Peters |
| J. A. Coleman | John R. Hobbs | Steve Pieratt |
| Sidney J. Collins | Ira W. Hulette | Kleber F. Price |
| Joel T. Crenshaw | G. C. Johnson | Waylon Rayburn |
| Carroll L. Cropper | T. M. Johnson | L. D. Sandlin |
| G. Cunningham | Leo King | Avery Sartin |
| W. J. Curtis | John Kirtley | Lafe J. Spencer |
| Harry Davis | W. L. Knuckles, Jr. | J. Sterling Towles |
| R. A. Demunbrun | Glenn W. Lane | Robert E. Webb |
| S. S. Dickson | Alden L. Love | J. B. Wicker |

—60

Those who voted in the negative were—

| | | |
|---|---|---|
| Herschel McKinley | Pat Rankin | Jos. W. Schneider |

—3

Resolved that the title thereof be as aforesaid.

Mr. Persky moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 12. An Act to authorize an administrator *de bonis non* or the successor of an executor, administrator or personal

representaitve, to maintain an action against his predecessor and the sureties on his predecessor's bond and the predecessor's personal and real representative.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That an administrator *de bonis non* or any successor appointed in the place of an executor or administrator or personal representative, who has resigned, been removed or whose letters have been removed, or who has ceased to act, or has died, may maintain an action against the former executor, administrator or personal representative and the sureties on the administration bond and against the predecessor's real and personal representative and for all damages or debts arising from the maladministration or omission of the predecessor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Jas. C. Bright | D. B. Coughlin |
| Levi Baker | Corbett Brown | Carroll L. Cropper |
| Harold L. Barnes | Wallace Brown | G. Cunningham |
| Robert E. Beatty | Frank C. Bruton | Harry Davis |
| Wm. B. Belknap | Mrs. Cecil Cantrill | R. A. Demunbrun |
| Reuben J. Boling | Charles Chandler | S. S. Dickson |
| O. J. Bowen | J. A. Coleman | Garland Embry |

| | | |
|---|---|---|
| T. P. Fitzpatrick | John Kirtley | Rodes K. Myers |
| L. J. Gammon | W. L. Knuckles, Jr. | James I. Peters |
| W. J. Garnett | Glenn W. Lane | Steve Pieratt |
| Ralph Gilbert | Alden L. Love | Kleber F. Price |
| Ferd A. Gnau | M. T. McCarthy | G. M. Pritchett |
| C. Gottschalk | Herschel McKinley | Pat Rankin |
| W. Yancey Handy | C. C. McMasters | Waylon Rayburn |
| Frank Harris | Roy McWaters | L. D. Sandlin |
| R. M. Harrison, Jr. | C. C. May | Avery Sartin |
| J. Joseph Hettinger | J. S. Mattingly | Jos. W. Schneider |
| John R. Hobbs | G. Samuel Milam | Mrs. M. B. Scott |
| Ira W. Hulette | Clarence Miller | Lafe J. Spencer |
| T. M. Johnson | H. H. Miller | J. Sterling Towles |
| J. H. King | W. H. Miller | Robert E. Webb |
| Leo King | James B. Milliken | —65 |

Resolved that the title thereof be as aforesaid.

Mr. Gilbert moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 24. An Act to repeal and re-enact Section 857 of the Kentucky Statutes, Carroll's Edition, 1922, relating to Building and Loan Associations.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That Section 857 of the Kentucky Statutes, Carroll's Edition, 1922, be and the same is hereby repealed and re-enacted so that as re-enacted it will read as follows:

Section 857. Limit of shares to one person.—No person

shall hold in any association having an authorized stock of one hundred thousand dollars ($100,000.00) or less, exceeding an amount equal to four (4) per cent of the whole number of shares; in those having an authorized capital exceeding one hundred thousand dollars ($100,000.00) and not exceeding five hundred thousand dollars ($500,000.00), three (3) per cent; those having an authorized capital of five hundred thousand dollars ($500,000.00) and not exceeding one million dollars ($1,000,000.00), two and one half per cent (2½%) and those having an authorized capital of one million dollars ($1,000,000.00), or in excess thereof, two (2%) per cent of the whole number of shares therein.

Provided, however, that an association may restrict the number of shares to which any person may be entitled to hold in his own name to any number less than that permitted by this section.

§ 2. Owing to the great need of a revival of home building and home owning and that capital may be available for this purpose, and in keeping with the policy and efforts of the National Administration in Washington to revive home building and home owning, an emergency is hereby declared to exist, and this Act shall become effective from and after its passage and signature of the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | C. Gottschalk | J. S. Mattingly |
| Harold L. Barnes | W. Yancey Handy | L. B. Meadors |
| Marshall Barnes | Judson Harmon | Clarence Miller |
| B. F. Bedford | Frank Harris | W. H. Miller |
| Reuben J. Boling | R. M. Harrison, Jr. | James B. Milliken |
| O. J. Bowen | J. Joseph Hettinger | Rodes K. Myers |
| Jas. C. Bright | Dr. A. L. Hill | Richard H. Nufer |
| Corbett Brown | John R. Hobbs | James I. Peters |
| Wallace Brown | Ira W. Hulette | Steve Pieratt |
| Frank C. Bruton | G. C. Johnson | Kleber F. Price |
| Mrs. Cecil Cantrill | T. M. Johnson | G. M. Pritchett |
| J. A. Coleman | J. H. King | Avery Sartin |
| Sidney J. Collins | Leo King | Mrs. M. B. Scott |
| Joel T. Crenshaw | John Kirtley | Lafe J. Spencer |
| Harry Davis | W. L. Knuckles, Jr. | Lyle C. Tackett |
| R. A. Demunbrun | Glenn W. Lane | J. Sterling Towles |
| Garland Embry | Alden L. Love | Starling B. Tracy |
| L. J. Gammon | Herschel McKinley | Henry T. Ward |
| W. J. Garnett | Roy McWaters | Robert E. Webb |

—57

Resolved that the title thereof be as aforesaid.

Mr. Lane moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution, entitled:

H. Res. 23. Resolution authorizing Wm. E. Clark to sue the Commonwealth of Kentucky.

Said resolution is as follows, viz.:

WHEREAS, on May 21st, 1931, Wm. E. Clark, while employed by the State Board of Charities and Corrections as guard at the Kentucky State Reformatory at Frankfort, Ken-

tucky, was injured in the line of duty, about his body and limbs and received severe injuries that disabled him for a long period of time; and whereas if such damages and injuries were sustained through the negligence of the Commonwealth of Kentucky or its agents or servants or employees, a reasonable damage should be paid to the said Clark by the Commonwealth of Kentucky for his injuries, loss of time, medical expenses, etc.: *Therefore,*

*Be it Resolved by the General Assembly fo the Commonwealth of Kentucky:*

That the said Wm. E. Clark be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky in the Franklin Circuit Court for such damages as he may have suffered, if any, by reason of the injuries to his body and limbs caused by the negligence of the Commonwealth of Kentucky or its agents, servants or employees, and in the event any judgment is recovered by the said Wm. E. Clark in said suit, same shall be paid by the Treasurer of the Commonwealth of Kentucky on a warrant issued by the Auditor, and both the said Clark and the Commonwealth of Kentucky shall have the right to appeal said case. The money herein shall be limited to and not exceed One Thousand Dollars.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Ferd A. Gnau | James B. Milliken |
| Carroll D. Asbury | W. Yancey Handy | Rodes K. Myers |
| Harold L. Barnes | Judson Harmon | Richard H. Nufer |
| Marshall Barnes | Frank Harris | James I. Peters |
| Robert E. Beatty | R. M. Harrison, Jr. | M. D. Phelps |
| B. F. Bedford | J. Joseph Hettinger | Kleber F. Price |
| O. J. Bowen | Dr. A. L. Hill | G. M. Pritchett |
| Jas. C. Bright | John R. Hobbs | Waylon Rayburn |
| Wallace Brown | Ira W. Hulette | W. P. Renfro |
| Frank C. Bruton | G. C. Johnson | Avery Sartin |
| Mrs. Cecil Cantrill | T. M. Johnson | Jos. W. Schneider |
| J. A. Coleman | J. H. King | Mrs. M. B. Scott |
| Joel T. Crenshaw | Leo King | Lafe J. Spencer |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Lyle C. Tackett |
| G. Cunningham | Glenn W. Lane | Elmore J. Thomas |
| Harry Davis | Herschel McKinley | J. Sterling Towles |
| R. A. Demunbrun | C. C. McMasters | Starling B. Tracy |
| George Dunlap | Roy McWaters | Henry T. Ward |
| Garland Embry | J. S. Mattingly | Robert E. Webb |
| Clarence E. Evans | L. B. Meadors | J. B. Wicker |
| T. P. Fitzpatrick | G. Samuel Milam | |
| L. J. Gammon | H. H. Miller | |
| Ralph Gilbert | W. H. Miller | —65 |

There voted in the negative—

Sidney J. Collins —1

Resolved that the title thereof be as aforesaid.

Mr. Coleman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 36. An Act to amend and re-enact Sections 1159 and 1159a, Carroll's Kentucky Statutes, prescribing punishment for robbery or burglary, robbery or bank or safe, or for having burglarious tools, the use of firearms in committing any of said acts and knowingly giving protection or comfort to any person committing these acts.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Sections 1159 and 1159a, Carroll's Kentucky Statutes, 1930 Edition, be repealed, amended and re-enacted so that when repealed, amended and re-enacted shall read as follows:

Section 1159. *Punishment for Robbery or Burglary, or for Burglarious Tools.*—Every person guilty of robbery or burglary shall be confined in the penitentiary not less than two nor more than ten years. If any person shall have or keep in his possession any tools, implements, or other things used by burglars for housebreaking, forcing doors, windows, locks, or buildings, or other places where goods, wares or merchandise or money is kept, with the intention of using said tools or implements burglariously, shall be confined in the penitentiary not less than two nor more than ten years.

Section 1159a. *Robbery of Bank or Safe; Penalty.*—That any person or persons who shall by force or violence, steal, take or carry away from any bank, or attempt by such means, steal, or carry away from any bank, money, notes, securities or any other thing of value or who shall, by means of explosives or any other force, unlawfully open or attempt to open, any safe belonging to or used by any person, firm, bank or corporation or company in which is kept money, notes, securities, books or any other thing of value, shall be guilty of a felony; and upon conviction thereof be confined in the penitentiary, not less than two nor more than twenty years.

That if any person shall commit acts of robbery, bur-

glary as defined in Sections 1159 or 1159a, robbery of bank or safe and in committing said act or acts shall use or display any pistol, gun or other firearms or deadly weapon of any character in so doing, upon conviction such person or persons shall be sentenced to death or life imprisonment in the discretion of the jury. That any person or persons aiding or giving protection or comfort, knowingly to any person or persons who has committed acts of robbery or burglary, robbery of bank or safe, shall be confined in the State Penitentiary not less than two nor more than ten years.

All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | W. J. Curtis | G. C. Johnson |
| Harold L. Barnes | Harry Davis | J. H. King |
| B. F. Bedford | R. A. Demunbrun | Leo King |
| Reuben J. Boling | W. J. Garnett | W. L. Knuckles, Jr. |
| O. J. Bowen | Ferd A. Gnau | Glenn W. Lane |
| Corbett Brown | J. S. Hall | Alden L. Love |
| Wallace Brown | W. Yancey Handy | Herschel McKinley |
| Mrs. Cecil Cantrill | Judson Harmon | Roy McWaters |
| Charles Chandler | R. M. Harrison, Jr. | J. S. Mattingly |
| J. A. Coleman | J. Joseph Hettinger | L. B. Meadors |
| D. B. Coughlin | Dr. A. L. Hill | G. Samuel Milam |
| Joel T. Crenshaw | John R. Hobbs | Clarence Miller |
| G. Cunningham | Ira W. Hulette | H. H. Miller |

| | | | |
|---|---|---|---|
| W. H. Miller | G. M. Pritchett | Starling B. Tracy | |
| James B. Milliken | Avery Sartin | Robert E. Webb | |
| Rodes K. Myers | Mrs. M. B. Scott | J. B. Wicker | |
| Richard H. Nufer | Lafe J. Spencer | | |
| Steve Pieratt | John W. Taylor | | |
| Kleber F. Price | Elmore J. Thomas | | —54 |

Those who voted in the negative were—

| | | |
|---|---|---|
| M. T. McCarthy | Jos. W. Schneider | —2 |

Resolved that the title thereof be as aforesaid.

Mr. Bullitt moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 350. An Act relating to old age pensions.

Mr. Bright moved that said bill be made a Special Order of the Day for tomorrow at two o'clock P. M.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in this House, entitled:

H. B. 283. An Act to prohibit the fraudulent manufacture, sale, gift or use of tokens, tickets, slugs, simulated coins, blanks, etc.

H. B. 400. An Act relating to taxation of motor vehicles for hire, etc.

H. B. 477. An Act authorizing, empowering, ordering and directing the Auditor of Public Accounts and the Treasurer to refund to all purchasers of motor vehicle licenses for the year, etc.

H. B. 334. An Act creating the office of second assistant County Attorney in counties having a population of 250,000 or more.

H. B. 618. An Act appropriating $100,000.00 out of the general expenditure fund for the purpose of paying salaries and other expenses, etc.

H. B. 98. An Act to repeal and re-enact Section 794 of Baldwin's Kentucky Statutes, 1930 Edition, relating to shooting or throwing at or into railroad engines, etc.

H. B. 99. An Act repealing and re-enacting Chapter 50 of the Acts of the General Assembly of the Commonwealth of Kentucky relating to shooting at or into railroad engines, etc.

H. B. 606. An Act amending sections 2492, 2493, 2495 Kentucky Statutes, Carroll's 1930 Edition, providing additional security for the payment of claims for labor, etc.

H. B. 360. An Act providing for the consolidation of the office of jailer with that of sheriff in each county of the State.

H. B. 587. An Act relating to revenue and taxation, and to amend and re-enact Section 4214d-8, 1933 Supplement to Kentucky Statutes, pertaining to license collected from beer, etc.

H. B. 385. An Act abolishing the jury fund and the office of trustee of the jury fund; providing for the payment of jurors by the clerks of the circuit court, etc.

With an amendment thereto, as proposed by the Senate.

Said amendment, as proposed by the Senate, is as follows, viz.:

Amend H. B. in Senate by striking out the words "county treasurer" where said words appear and substitute therefor the words "Circuit Court Clerk."

(For bill see House Journal of March 2.)

Mr. Myers moved that the House do now concur in the amendment as proposed by the Senate.

Said motion was agreed to.

Said amendment was then concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Joel T. Crenshaw | R. M. Harrison, Jr. |
| Levi Baker | Carroll L. Cropper | Dr. A. L. Hill |
| Harold L. Barnes | W. J. Curtis | John R. Hobbs |
| B. F. Bedford | R. A. Demunbrun | Ira W. Hulette |
| Reuben J. Boling | George Dunlap | T. M. Johnson |
| Jas. C. Bright | Garland Embry | J. H. King |
| Corbett Brown | Clarence E. Evans | Leo King |
| Wallace Brown | W. J. Garnett | John Kirtley |
| Frank C. Bruton | C. Gottschalk | W. L. Knuckles, Jr. |
| Mrs. Cecil Cantrill | J. S. Hall | Glenn W. Lane |
| Charles Chandler | W. Yancey Handy | M. T. McCarthy |
| J. A. Coleman | Judson Harmon | Herschel McKinley |
| D. B. Coughlin | Frank Harris | C. C. McMasters |

| | | |
|---|---|---|
| Roy McWaters | G. M. Pritchett | Starling B. Tracy |
| G. Samuel Milam | Waylon Rayburn | Henry T. Ward |
| W. H. Miller | Avery Sartin | Robert E. Webb |
| James B. Milliken | Mrs. M. B. Scott | J. B. Wicker |
| Rodes K. Myers | Lyle C. Tackett | |
| Kleber F. Price | John W. Taylor | —54 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Ferd A. Gnau | H. H. Miller | —2 |

Mr. Myers moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

And that they had passed a bill which originated in this House entitled:

H. H. 808. An Act relating to the present employees of the General Assembly, providing compensation for their services.

With an amendment thereto, as proposed by the Senate.

Ordered that said bill and amendment as proposed by the Senate, be referred to Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration a bill entitled:

H. B. 231. An Act to amend and re-enact Sections 3, 5, 6, 8, 9, 13 and 15 of Chapter 155 of the Acts of 1920, entitled "An Act to establish an Athletic Board of Control, etc."

With an amendment thereto as proposed by the Senate, which was reported to this House from the Senate on yesterday.

(For bill see House Journal of February 14.)

Said amendment as proposed by the Senate, is as follows, viz.:

Amend H. B. 231 in Senate by adding in Section 6 after the word "Act" in line 11 the following words: "Except that regularly organized Posts of the American Legion may hold boxing, sparring or wrestling matches under the provisions of this Act without the payment of the license fee, provided that no exhibition shall be held within 15 miles of a licensed club and provided that any Post of the American Legion holding exhibitions under this exemption shall pay to the athletic Board of Control a tax of five per centum of its gross receipts.

Mr. Fitzpatrick moved that said amendment be concurred in.

Said motion was agreed to.

Said amendment was then concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Marshall Barnes | O. J. Bowen |
| Levi Baker | Robert E. Beatty | Jas. C. Bright |
| Harold L. Barnes | Wm. B. Belknap | Corbett Brown |

| | | |
|---|---|---|
| Wallace Brown | Judson Harmon | G. Samuel Milam |
| Mrs. Cecil Cantrill | R. M. Harrison, Jr. | H. H. Miller |
| Charles Chandler | Dr. A. L. Hill | James B. Milliken |
| J. A. Coleman | John R. Hobbs | Tyler Munford |
| D. B. Coughlin | Ira W. Hulette | Rodes K. Myers |
| Joel T. Crenshaw | G. C. Johnson | Kleber F. Price |
| Carroll L. Cropper | T. M. Johnson | G. M. Pritchett |
| G. Cunningham | J. H. King | Pat Rankin |
| W. J. Curtis | Leo King | Waylon Rayburn |
| Harry Davis | John Kirtley | Mrs. M. B. Scott |
| R. A. Demunbrun | W. L. Knuckles, Jr. | Lyle C. Tackett |
| George Dunlap | Glenn W. Lane | John W. Taylor |
| Garland Embry | Alden L. Love | Elmore J. Thomas |
| Clarence E. Evans | M. T. McCarthy | J. Sterling Towles |
| T. P. Fitzpatrick | Herschel McKinley | Henry T. Ward |
| L. J. Gammon | C. C. McMasters | Robert E. Webb |
| Ferd A. Gnau | Roy McWaters | J. B. Wicker |
| C. Gottschalk | J. S. Mattingly | —62 |

Mr. Fitzpatrick moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

Mr. Love of the Committee on Enrollment, reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

S. B. 54. An Act to provide for the construction and maintenance of the bridge over the Kentucky river at Frankfort, Kentucky.

S. B. 81. An Act to amend the Kentucky as to effective date of appeals.

H. B. 485. An Act to provide for more adequate enforcement of laws against bank robbery, banditry and kidnaping.

H. B. 530. An Act to provide for investment of surplus of building and loan associations, etc.

H. B. 26. An Act to amend the Constitution by striking out section which prohibits manufacture, sale and transportation of liquor after June 30, 1920.

H. B. 532. An Act providing for investment of bank funds in Federal Home Loan Bank.

H. B. 197. An Act to permit cities of 1st and 2nd classes to insure municipally-owned cars and to take out compensation insurance on police and employees.

H. Res. 3. Resolution for the payment of B. P. Walker, Governor's Agent.

H. B. 495. An Act to repeal and re-enact Sections 125b-1 and 125b-5, Kentucky Statutes, Carroll's 1930 Edition, both sections affecting the office of Commonwealth's Attorney, etc.

S. B. 332. An Act relating to the appointment and removal of officers, etc.

S. B. 312. An Act relating to the Superintendent of Public Printing.

S. Res. 36. Resolution providing for purchase of copies of the Legislative Digest.

Thereupon all other business was suspended, said bills and resolutions were read at length and compared in open

session and found to be correctly enrolled, and thereupon the Speaker in open session and in the presence of the House, affixed his signature thereto.

Ordered that the bills and resolutions which originated in the Senate, be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of this House deliver the bills and resolutions which originated in this House, to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bills and resolutions, duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills and resolutions to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

At the hour of six o'clock P. M. Dr. Hill moved that the House do now recess until seven-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

## NIGHT SESSION

The hour of seven-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

At the instance of the Committee on Rules, the House took up for consideration a bill entitled:

H. B. 182. An Act to appropriate to school teachers in 43 counties of the Commonwealth the amount due such teachers, etc.

With an amendment thereto, as proposed by the Senate.

Which was reported to this House from the Senate on yesterday.

(For bill see House Journal of February 16.)

Said amendment as offered by the Senate is as follows, viz.:

Amend H. B. 182 in Senate, by adding at the end of Section, printed bill, the names of the following districts, which were omitted in the bill as passed by the House, but which are entitled to participation of the fund appropriated by the bill: Albany $1,547.56; Benton $1,831.85; Dunvill $287.94; Dycusburg $717.19; Edmonton $773.68; Fountain Run $554.61; Grays $103.83; Hardin $512.70; Jamestown $1106.17; Williamsburg $931.21; Hickman (colored) $810.44; Princeton (colored) $893.45.

Mr. Knuckles moved that the House do now concur in the amendment as proposed by the Senate.

Said motion was agreed to.

Said amendment was then concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Ferd A. Gnau | J. S. Mattingly |
| Carroll D. Asbury | C. Gottschalk | L. B. Meadors |
| Levi Baker | J. S. Hall | Clarence Miller |
| Reuben J. Boling | W. Yancey Handy | H. H. Miller |
| Robert E. Beatty | Judson Harmon | W. H. Miller |
| Jas. C. Bright | Frank Harris | Tyler Munford |
| Corbett Brown | R. M. Harrison, Jr. | Rodes K. Myers |
| Hugh K. Bullitt | J. Joseph Hettinger | M. D. Phelps |
| Charles Chandler | Dr. A. L. Hill | G. M. Pritchett |
| J. A. Coleman | Ira W. Hulette | Waylon Rayburn |
| Sidney J. Collins | T. M. Johnson | L. D. Sandlin |
| Joel T. Crenshaw | J. H. King | Avery Sartin |
| Carroll L. Cropper | Leo King | Mrs. M. B. Scott |
| G. Cunningham | W. L. Knuckles, Jr. | Lyle C. Tackett |
| Harry Davis | Glenn W. Lane | John W. Taylor |
| R. A. Demunbrun | Alden L. Love | Elmore J. Thomas |
| Garland Embry | M. T. McCarthy | Starling B. Tracy |
| Clarence E. Evans | Herschel McKinley | Robert E. Webb |
| T. P. Fitzpatrick | C. C. McMasters | J. B. Wicker |
| L. J. Gammon | Roy McWaters | |

—59

Those who voted in the negative were—

| | | |
|---|---|---|
| D. B. Coughlin | Steve Pieratt | Pat Rankin |

—3

Mr. Knuckles moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of the House.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 178. An Act to Amend, Revise and Re-enact Chapter 116 of the Acts of the General Assembly of 1930, now Section 1761-1 Carroll's Kentucky Statutes, Baldwin's 1933 Supplement, relating to salaries of Commissioner and Deputy Commissioners of Circuit Courts in counties having a population of two hundred thousand inhabitants or more, composing a separate Judicial District and having six Circuit Judges, or more, clarifying said Act by making definite and certain the powers and authority of said Commissioner, Court, Auditor and Treasurer in reference to the provisions of said Act requiring the Commissioner to pay annually, in January, to the Auditor the surplus fees in his hands after paying the salaries of said Commissioner and his deputies and the expenses of said office and permitting said Commissioner to make up out of the surplus fees of any year any shortage in his salary or the salaries of his deputies of any previous or subsequent year, and providing the specific method and manner by which the purpose of said Act shall be carried out and made effective.

Said bill is as follows, viz.:

Whereas it is the purpose of said Act to enable said Court to be served at all times by an efficient Commissioner of said Court and an efficient organization of deputies and assistants under said Commissioner to properly and with dispatch perform the duties of said office as the interests of the public and of the litigants in said Court and the proper functioning of said Court require, and, to that end, said Commissioner is permitted by said Act to make up out of surplus fees collected by him in any year any shortage in his salary, or the salaries of his deputies, of any previous or subsequent year, and

Whereas said Act further provides that such surplus, after the payment of his salary and those of his deputies and the expense of his office, shall, annually in the month of January, be paid by said Commissioner to the Auditor of the Commonwealth, and

Whereas by reason of the extraordinary volume and character of the business and litigation in said court handled through said Commissioner during the past ten years or more, said Commissioner has been enabled to accumulate and pay and has paid to the Auditor each year, pursuant to said Act surplus funds remaining in his hands at the end of each of said respective years, from fees earned by him, no part of which has been drawn upon or used by said Commissioner, and

Whereas a doubt exists in the minds of the Auditor and Treasurer of the Commonwealth and of said Commissioner concerning their respective powers and duties under said Act and as to the methods intended thereby, by and through which the purposes of said Act may be accomplished so as to enable such Commissioner to make up out of said surplus fees of any year such shortage as may exist or occur from time to time after said surplus has been paid or turned over by him to said Auditor as provided by said Act:

Now, Therefore, to clarify said Act by making definite and certain the powers, authority and duties of said Commissioner of said Court and of the Auditor and Treasurer of the Commonwealth in reference thereto and by providing the specific method and manner by which the purposes of said Act shall be carried out and made effective,

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

That Chapter 116 of the Acts of the General Assembly of 1930, now Section 1761-1, Carroll's Kentucky Statutes, 1933 Supplement, be and the same is hereby amended, revised and re-enacted, so that the same when so amended, revised and re-enacted shall read as follows:

(1) That the salaries of the Commissioner, the Chief Deputy Commissioner, and the Deputy Commissioners of Circuit Courts in counties having a population of two hundred thousand (200,000) inhabitants, or more, comprising a

separate Judicial District, and having six (6) Circuit Judges, or more, are hereby fixed, as follows:

The salary of the Commissioner shall be the sum of Five Thousand ($5,000.00) Dollars per annum; the salary of the Chief Deputy Commissioner shall not exceed the sum of Thirty-six Hundred ($3,600.00) Dollars per annum; and the salary of each other Deputy Commissioner shall not exceed the sum of Twenty-four Hundred ($2,400.00) Dollars per annum; said salaries to be fixed by the said Circuit Court in General Term; said salaries to be paid out of the fees of said office of Commissioner, as now provided by law. Said Commissioner shall, in suitable books kept in his office, keep and enter therein a true and faithful account of the amounts earned by him or due him, for official services rendered to any person, company, or corporation; when and to whom such service was rendered; and what part thereof has been paid, and when paid; and shall annually in the month of January, report to the Auditor, under oath, the amount received by him on account of his official duties or position, from all sources during the preceding year, as well as the amount paid out by him for necessary deputies or assistants, and for the expenses of conducting his office, giving separately the amount he has paid out on account of each item; and if it shall appear from said annual statement, to the Auditor that any such Commissioner has received as compensation, on account of his official services from all sources, more than Five Thousand ($5,000.00) Dollars during such year, after the payment of the salaries of his necessary deputies or assistants and the legitimate expenses of conducting his office, then such Commissioner shall, with such statement, pay to the Auditor the amount so received in excess of said Five Thousand ($5,000.00) Dollars, and the salaries of his deputies and the expenses of his office; and any such Commissioner who shall fail to comply herewith shall upon conviction, be fined not less than One Hundred ($100.00) Dollars nor more than Five Hundred ($500.00) Dollars; and, upon conviction, shall be removed from office. But nothing here contained shall be construed to prevent said

Commissioner from making up out of the surplus of any year any shortage in his salary, or the salaries of his deputies, of any previous or subsequent year.

(2) Whenever such shortage shall occur or exist, and the Commissioner shall have in his hands no sufficient surplus fees to make up said shortage, he shall thereupon, immediately after the last day of the month in which said shortage occurs, file in said Court, in General Term, a statement under oath showing said shortage, and the amount thereof, and the Court shall thereupon, by its order in General Term, any four of said judges concurring, order and direct the Auditor to issue, and he shall thereupon immediately issue, his warrant on the Treasurer to pay, and the Treasurer shall thereupon immediately pay to said Commissioner the amount of said shortage named in said order out of the funds which, prior to the date of said warrant had been paid by said Commissioner to the Auditor pursuant to this Act, whether before or after this amendment, revision and re-enactment thereof, and by said Auditor paid into the Treasury.

(3) If any clause, sentence, paragraph or part of this Act shall for any reason, be adjudged by any Court of competent jurisdiction to be invalid, said judgment shall not affect, impair, or invalidate the remainder of said Act, but shall be confined in its operation to the clause, paragraph, or part thereof directly involved in the controversy in which said judgment shall have been rendered.

(4) Inasmuch as a proper administration of justice through the proper functioning of said Court demands the continued and uninterrupted maintenance of an efficient Commissioner's office an emergency is hereby declared to exist and therefore this Act shall take effect immediately from and after its passage and approval by the Governor as provided by law.

(5) All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | W. J. Garnett | L. B. Meadors |
| Carroll D. Asbury | Ferd A. Gnau | G. Samuel Milam |
| Levi Baker | C. Gottschalk | Clarence Miller |
| Reuben J. Boling | J. S. Hall | H. H. Miller |
| Robert E. Beatty | W. Yancey Handy | W. H. Miller |
| O. J. Bowen | Judson Harmon | Tyler Munford |
| Corbett Brown | Frank Harris | Rodes K. Myers |
| Wallace Brown | R. M. Harrison, Jr. | Robert A. Persky |
| Hugh K. Bullitt | J. Joseph Hettinger | M. D. Phelps |
| Charles Chandler | Dr. A. L. Hill | Steve Pieratt |
| J. A. Coleman | Ira W. Hulette | G. M. Pritchett |
| Sidney J. Collins | G. C. Johnson | Pat Rankin |
| D. B. Coughlin | T. M. Johnson | L. D. Sandlin |
| Joel T. Crenshaw | J. H. King | Mrs. M. B. Scott |
| Carroll L. Cropper | Leo King | John W. Taylor |
| G. Cunningham | W. L. Knuckles, Jr. | Elmore J. Thomas |
| W. J. Curtis | Glenn W. Lane | Starling B. Tracy |
| R. A. Demunbrun | Alden L. Love | Robert E. Webb |
| S. S. Dickson | M. T. McCarthy | J. B. Wicker |
| Garland Embry | Herschel McKinley | |
| Clarence E. Evans | J. S. Mattingly | —61 |

Resolved that the title thereof be as aforesaid.

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 90. An Act to fix the punishment for assault and battery.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

If any person be guilty of assault or of battery, or of assault and battery, that person shall be punished by a fine in any sum not less than one cent nor more than five hundred dollars, or by confinement in the county jail for not less than one day nor more than twelve months, or may be both so fined and imprisoned.

Mr. McKinley moved that said bill be laid on the table.

Said motion was agreed to.

And so said bill was tabled.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 94. An Act concerning the printing on the official ballot in general elections as a candidate for any office the names of candidates for such office defeated in the preceding primary held for party nominations for such general election, and the names of candidates who have in such primary elections violated or have been responsible for the violation of any part or provision of the Corrupt Practice Act.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. No candidate for public office in the State of Ken-

tucky who shall have been defeated for the nomination for any office in a primary election shall have in the succeeding general election held during the same year in which said primary election was held his name printed on the official ballot for the same office for a nomination to which he was a candidate in said primary election; provided, however, that if a vacancy occur in the party nomination for which he was a candidate in such primary election his name may be printed on said official ballot as a candidate of such party if he has since said vacancy occurred been duly made such party nominee according to law, and, provided further, that the provisions of this section shall not apply to candidates for judge of the Court of Appeals and for the judges of the circuit court.

§ 2. No applicant or candidate for public office in the State of Kentucky who shall have been a candidate for a party nomination for any office in a primary election and who shall before the succeeding general election be declared by the judgment of any court of competent jurisdiction to have violated or be responsible for the violation by others in such primary election of any part or provision of the Corrupt Practice Act, now Sections 1565b-1 to 1565b-21, inclusive, or as the same may hereafter be amended, shall have in the succeeding general election held during the same year of which said primary election was held his name printed on the official ballot for any office to be voted for in said general election.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen Carroll D. Asbury Levi Baker

| | | |
|---|---|---|
| Reuben J. Boling | Ferd A. Gnau | G. Samuel Milam |
| Robert E. Beatty | J. S. Hall | Clarence Miller |
| O. J. Bowen | W. Yancey Handy | H. H. Miller |
| Jas. C. Bright | Judson Harmon | W. H. Miller |
| Corbett Brown | Frank Harris | Tyler Munford |
| Wallace Brown | R. M. Harrison, Jr. | Rodes K. Myers |
| Hugh K. Bullitt | J. Joseph Hettinger | Robert A. Persky |
| Charles Chandler | Dr. A. L. Hill | M. D. Phelps |
| J. A. Coleman | Ira W. Hulette | Steve Pieratt |
| Sidney J. Collins | G. C. Johnson | G. M. Pritchett |
| D. B. Coughlin | T. M. Johnson | Waylon Rayburn |
| Carroll L. Cropper | J. H. King | L. D. Sandlin |
| G. Cunningham | John Kirtley | Avery Sartin |
| Harry Davis | W. L. Knuckles, Jr. | Mrs. M. B. Scott |
| R. A. Demunbrun | Alden L. Love | Lyle C. Tackett |
| S. S. Dickson | M. T. McCarthy | John W. Taylor |
| George Dunlap | Herschel McKinley | Elmore J. Thomas |
| Garland Embry | C. C. McMasters | Starling B. Tracy |
| Clarence E. Evans | Roy McWaters | Robert E. Webb |
| Rudy Ferguson | J. S. Mattingly | J. B. Wicker |
| W. J. Garnett | L. B. Meadors | —65 |

Resolved that the title thereof be as aforesaid.

Mr. Bullitt moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 314. An Act to amend "The Bingham Cooperative Marketing Act," the same being Chapter 1 of the Acts of 1922 of the General Assembly of the Commonwealth of Kentucky, and particularly Section 6, paragraph (a) thereof, so as to provide that any Association incorporated or operating

under said Act may deal in the products of non-members to a limited extent.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That "The Bingham Cooperative Marketing Act," the same being Chapter 1 of the Acts of 1922 of the General Assembly of the Commonwealth of Kentucky, and particularly, Section 6, paragraph (a) of said Act, be and the same is hereby amended by striking out of Section 6, paragraph (a), of said Act, the last sentence of said paragraph (a) of said Section 6, which reads as follows: No association, however, shall handle the agricultural products of any non-member, except for storage," and inserting, and there is hereby inserted, in lieu thereof the following: "And such association may also buy, sell and deal in the agricultural products of non-members to an amount not greater in value than such as are handled by it for its members."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Corbett Brown | G. Cunningham |
| Levi Baker | Hugh K. Bullitt | W. J. Curtis |
| Reuben J. Boling | J. A. Coleman | Harry Davis |
| O. J. Bowen | Sidney J. Collins | R. A. Demunbrun |
| Jas. C. Bright | Carroll L. Cropper | S. S. Dickson |

| | | |
|---|---|---|
| Garland Embry | T. M. Johnson | W. H. Miller |
| Clarence E. Evans | J. H. King | James B. Milliken |
| Rudy Ferguson | Leo King | Steve Pieratt |
| Ferd A. Gnau | John Kirtley | Waylon Rayburn |
| C. Gottschalk | Glenn W. Lane | L. D. Sandlin |
| J. S. Hall | Alden L. Love | Avery Sartin |
| Judson Harmon | M. T. McCarthy | Mrs. M. B. Scott |
| Frank Harris | Herschel McKinley | Robert E. Webb |
| J. Joseph Hettinger | J. S. Mattingly | J. B. Wicker |
| Ira W. Hulette | G. Samuel Milam | B. M. Williams |
| G. C. Johnson | Clarence Miller | —47 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Carroll D. Asbury | D. B. Coughlin | Elmore J. Thomas |
| Wallace Brown | | —4 |

Resolved that the title thereof be as aforesaid.

Mr. Evans moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 173. An Act providing that the claims of election officers and tabulators, counters and employees of the county election commission may be used by the holders of such claims to pay state or county taxes.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That the election officers serving during any regular or primary election of state or county officials and such

tabulators, counters and employees as the county election commission may have employed to assist in the count of such election in this state, shall receive such compensation as is now allowed by law for such services, and if the state or county is unable to pay in cash upon the completion of such service, the claim shall be good for state and county taxes due by the holder of such claims, and the sheriff or other collector shall accept them at face value on any and all taxes due any county or state of Kentucky.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | W. J. Curtis | Ira W. Hulette |
| Carroll D. Asbury | R. A. Demunbrun | G. C. Johnson |
| Levi Baker | S. S. Dickson | T. M. Johnson |
| Reuben J. Boling | Garland Embry | F. P. Kessee |
| O. J. Bowen | Clarence E. Evans | J. H. King |
| Jas. C. Bright | Rudy Ferguson | Leo King |
| Corbett Brown | Ferd A. Gnau | John Kirtley |
| Hugh K. Bullitt | C. Gottschalk | Alden L. Love |
| Charles Chandler | J. S. Hall | Herschel McKinley |
| J. A. Coleman | Judson Harmon | C. C. McMasters |
| Sidney J. Collins | Frank Harris | Roy McWaters |
| D. B. Coughlin | R. M. Harrison, Jr. | J. S. Mattingly |
| Carroll L. Cropper | J. Joseph Hettinger | L. B. Meadors |
| G. Cunningham | Dr. A. L. Hill | G. Samuel Milam |

| | | |
|---|---|---|
| Clarence Miller | Pat Rankin | Elmore J. Thomas |
| H. H. Miller | Waylon Rayburn | Starling B. Tracy |
| W. H. Miller | L. D. Sandlin | Robert E. Webb |
| James B. Milliken | Mrs. M. B. Scott | J. B. Wicker |
| Steve Pieratt | Lyle C. Tackett | —56 |

Resolved that the title thereof be as aforesaid.

Mr. Ferguson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 92. An Act to amend and re-enact Section 2525 of Carroll's Kentucky Statutes, 1930 Edition, prescribing the time within which persons under a disability must bring actions other than those for the recovery of real estate by excluding from the category of such persons married women, and prescribing the effective date of such amendment.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. Section 2525 of Carroll's Kentucky Statutes, 1930 Edition, be amended by striking therefrom the words "married woman" and that said section as thus amended be re-enacted to read as follows:

"If a person entitled to bring any of the actions mentioned in the third article of this chapter, except for a penalty or forfeiture, was, at the time the cause of action accrued, an infant, or of unsound mind, the action may be brought within the like number of years after the removal of such disability or death of the person, whichever happened first, that is al-

lowed to a person having no such impediment to bring the same after the right accrued."

§ 2. This amendment shall be effective as of January 1, 1937..

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | T. P. Fitzpatrick | L. B. Meadors |
| Carroll D. Asbury | W. J. Garnett | G. Samuel Milam |
| Levi Baker | Ferd A. Gnau | Clarence Miller |
| O. J. Bowen | J. S. Hall | W. H. Miller |
| Jas. C. Bright | W. Yancey Handy | Tyler Munford |
| Wallace Brown | Judson Harmon | Robert A. Persky |
| Hugh K. Bullitt | Frank Harris | Steve Pieratt |
| Charles Chandler | R. M. Harrison, Jr. | G. M. Pritchett |
| J. A. Coleman | J. Joseph Hettinger | Pat Rankin |
| Sidney J. Collins | Dr. A. L. Hill | Waylon Rayburn |
| D. B. Coughlin | T. M. Johnson | L. D. Sandlin |
| Carroll L. Cropper | J. H. King | Mrs. M. B. Scott |
| Harry Davis | Leo King | Elmore J. Thomas |
| R. A. Demunbrun | Glenn W. Lane | J. Sterling Towles |
| S. S. Dickson | Alden L. Love | Starling B. Tracy |
| George Dunlap | M. T. McCarthy | Robert E. Webb |
| Garland Embry | Herschel McKinley | |
| Clarence E. Evans | Roy McWaters | |
| Rudy Ferguson | J. S. Mattingly | —54 |

There voted in the negative—

H. H. Miller —1

Resolved that the title thereof be as aforesaid.

Mr. Bullitt moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 88. An Act to amend and re-enact Section 1093 of the Kentucky Statutes (Carroll's 1930 Edition), being an Act defining and prescribing the jurisdiction of justices and quarterly courts and the judges of police courts in cities of the first, second, third, fourth, fifth and sixth classes in this Commonwealth in penal and misdemeanor cases.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 1093 of the Kentucky Statutes (Carroll's 1930 Edition) be repealed and re-enacted so that same when thus re-enacted shall read as follows:

"That justices and quarterly courts and the judges thereof, and police courts in cities of the first, second, third, fourth, fifth and sixth classes of the Commonwealth and the judges thereof, shall have jurisdiction exclusive of Circuit Courts in all penal and misdemeanor cases, the punishment of which is limited to a fine of not exceeding twenty dollars, and jurisdiction concurrent with Circuit Courts of all penal cases and misdemeanor cases, the punishment of which is limited to a fine of not exceeding five hundred dollars, or imprisonment not exceeding twelve months, or both; but said courts shall also have and exercise the same jurisdiction in the enforcement of city ordinances that is now given to them by law."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | George Dunlap | Herschel McKinley |
| Carroll D. Asbury | Garland Embry | Roy McWaters |
| Levi Baker | Clarence E. Evans | L. B. Meadors |
| Marshall Barnes | Rudy Ferguson | G. Samuel Milam |
| Reuben J. Boling | W. J. Garnett | Clarence Miller |
| Robert E. Beatty | Ralph Gilbert | H. H. Miller |
| O. J. Bowen | Ferd A. Gnau | W. H. Miller |
| Jas. C. Bright | C. Gottschalk | James B. Milliken |
| Wallace Brown | W. Yancey Handy | Steve Pieratt |
| Hugh K. Bullitt | Judson Harmon | Waylon Rayburn |
| Charles Chandler | Frank Harris | L. D. Sandlin |
| J. A. Coleman | R. M. Harrison, Jr. | Mrs. M. B. Scott |
| Sidney J. Collins | J. Joseph Hettinger | John W. Taylor |
| D. B. Coughlin | Dr. A. L. Hill | Elmore J. Thomas |
| Carroll L. Cropper | Ira W. Hulette | Starling B. Tracy |
| G. Cunningham | T. M. Johnson | Robert E. Webb |
| W. J. Curtis | John Kirtley | J. B. Wicker |
| Harry Davis | Glenn W. Lane | |
| R. A. Demunbrun | Alden L. Love | |
| S. S. Dickson | George R. McIntosh | |

—54

Resolved that the title thereof be as aforesaid.

Mr. Bullitt moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 93. An Act to amend Section 2506 of Carroll's Kentucky Statutes, 1930 Edition, prescribing the time within which persons under a disability must sue for the recovery of real estate by excluding married women from the category of such persons and to re-enact the same as thus amended, and prescribing the effective date of such amendment.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That Section 2506 of Carroll's Kentucky Statutes, 1930 Edition, be amended by striking therefrom the words "married woman" and that said section as thus amended be re-enacted to read as follows:

"If, at the time the right of any person to bring an action for the recovery of real property first accrued, such person was an infant, or of unsound mind, then such person, or the person claiming through him, may though the period of fifteen years has expired, bring the action within three years after the time such disability is removed."

§ 2. This amendment shall be effective as of January 1, 1937.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Robert E. Beatty | Wm. B. Belknap |
| Carroll D. Asbury | B. F. Bedford | Reuben J. Boling |

| | | |
|---|---|---|
| O. J. Bowen | T. P. Fitzpatrick | Roy McWaters |
| Jas. C. Bright | W. J. Garnett | J. S. Mattingly |
| Corbett Brown | Ralph Gilbert | L. B. Meadors |
| Wallace Brown | Ferd A. Gnau | G. Samuel Milam |
| Hugh K. Bullitt | W. Yancey Handy | H. H. Miller |
| Charles Chandler | Judson Harmon | W. H. Miller |
| J. A. Coleman | Frank Harris | James B. Milliken |
| Sidney J. Collins | R. M. Harrison, Jr. | Steve Pieratt |
| Carroll L. Cropper | J. Joseph Hettinger | Waylon Rayburn |
| G. Cunningham | Dr. A. L. Hill | L. D. Sandlin |
| W. J. Curtis | G. C. Johnson | Avery Sartin |
| Harry Davis | T. M. Johnson | Mrs. M. B. Scott |
| S. S. Dickson | Glenn W. Lane | Lyle C. Tackett |
| George Dunlap | Alden L. Love | John W. Taylor |
| Garland Embry | M. T. McCarthy | Starling B. Tracy |
| Clarence E. Evans | Herschel McKinley | Robert E. Webb |
| Rudy Ferguson | C. C. McMasters | J. B. Wicker |

—57

Resolved that the title thereof be as aforesaid.

Mr. Bullitt moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the Day, a bill entitled:

S. B. 321. An Act to provide additional duty of County Treasurer in counties of less than 50,000 inhabitants, with respect to funds in his hands.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That County Treasurers in Counties having less than

50,000 pouplation at the 1930 census may be required by order of the Fiscal Court of the County to purchase, at the market price, any road bonds or other bonds of the County issued and outstanding, or otherwise to invest the funds in his hands in bonds of the United States, the Commonwealth of Kentucky, and to pay for such bonds out of any funds in the hands of the County Treasurer not bearing interest and which will not be required for the payment of county bonds or coupons issued and outstanding maturing within twelve months after the entry of such order.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | S. S. Dickson | Leo King |
| Carroll D. Asbury | George Dunlap | John Kirtley |
| Levi Baker | Garland Embry | Glenn W. Lane |
| Wm. B. Belknap | Clarence E. Evans | Alden L. Love |
| O. J. Bowen | W. J. Garnett | M. T. McCarthy |
| Wallace Brown | Ferd A. Gnau | Herschel McKinley |
| Hugh K. Bullitt | C. Gottschalk | C. C. McMasters |
| Mrs. Cecil Cantrill | W. Yancey Handy | Roy McWaters |
| J. A. Coleman | Judson Harmon | J. S. Mattingly |
| Sidney J. Collins | Frank Harris | L. B. Meadors |
| D. B. Coughlin | R. M. Harrison, Jr. | G. Samuel Milam |
| Carroll L. Cropper | J. Joseph Hettinger | H. H. Miller |
| G. Cunningham | Dr. A. L. Hill | W. H. Miller |
| W. J. Curtis | G. C. Johnson | James B. Milliken |
| R. A. Demunbrun | T. M. Johnson | Rodes K. Myers |

| | | | |
|---|---|---|---|
| Steve Pieratt | Mrs. M. B. Scott | Henry T. Ward | |
| Waylon Rayburn | John W. Taylor | J. B. Wicker | |
| Avery Sartin | Starling B. Tracy | | —53 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Charles Chandler | Robert E. Webb | —2 |

Resolved that the title thereof be as aforesaid.

Mr. Evans moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 361. An Act to regulate traffic over and upon toll bridges and ferries; making it unlawful for any person to pass over or upon any toll bridge or ferry without paying the required toll; making it unlawful for any person to park any vehicle upon any toll bridge, and also prescribing penalties for the commission of offenses defined in this act.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That it shall be unlawful for any person or persons to pass over or upon any part of any toll bridge or ferry, upon which bridge or ferry tolls are at such time collected, without paying to the collector of tolls then stationed at such bridge or ferry at the time of such passage, in legal tender, such amount of toll as may be prescribed by law or regulation for passage over such bridge or ferry, including vehicular traffic over or upon any part of such bridge or ferry.

§ 2. That it shall be unlawful for any person or persons to park any vehicle upon any toll bridge at any time.

§ 3. Any person or persons found guilty of violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than $10.00 nor more than $100.00 for each offense.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Rudy Ferguson | Clarence Miller |
| Carroll D. Asbury | T. P. Fitzpatrick | H. H. Miller |
| Levi Baker | Ferd A. Gnau | James B. Milliken |
| Wm. B. Belknap | C. Gottschalk | Tyler Munford |
| Reuben J. Boling | W. Yancey Handy | Steve Pieratt |
| Robert E. Beatty | Frank Harris | G. M. Pritchett |
| O. J. Bowen | R. M. Harrison, Jr. | Waylon Rayburn |
| Jas. C. Bright | J. Joseph Hettinger | L. D. Sandlin |
| Wallace Brown | Dr. A. L. Hill | Avery Sartin |
| Hugh K. Bullitt | Ira W. Hulette | Mrs. M. B. Scott |
| Charles Chandler | G. C. Johnson | Lyle C. Tackett |
| J. A. Coleman | Leo King | Starling B. Tracy |
| G. Cunningham | John Kirtley | Henry T. Ward |
| W. J. Curtis | Glenn W. Lane | Robert E. Webb |
| R. A. Demunbrun | M. T. McCarthy | J. B. Wicker |
| Garland Embry | Herschel McKinley | |
| Clarence E. Evans | Roy McWaters | —49 |

Resolved that the title thereof be as aforesaid.

Mr. McCarthy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Love of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

H. B. 585. An Act relating to cities of the 1st class to purchase Low Cost Housing Project, etc.

H. B. 198. An Act relating to revenue and taxation, license and excise tax on the business or manufacturing of whiskey, etc.

H. B. 473. An Act relating to inspection, grading and marking of green tobacco, etc.

H. B. 400. An Act relating to the taxation of motor vehicles for hire.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker in open session and in the presence of the House, affixed his signature thereto.

Ordered that the Enrolling Clerk of this House deliver said bills to the Senate.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

S. B. 413. An Act to re-create the Nine Road Commission districts.

S. B. 207. An Act to repeal and re-enact Section 1697, Carroll's Kentucky Statutes, Baldwin's 1933 Supplement, and repeal Section 1698 relating to personal exemptions of families.

S. B. 152. An Act to prevent the destruction or marring of trees, shrubs and flora, etc.

S. B. 366. An Act to abolish the Department of Liberty and Archives created by Article 20 of the Administrative Reorganization Act, etc.

S. Res. 56. Resolution for the benefit of the ministers of the churches of Frankfort.

S. Res. 39. Resolution authorizing the personal representative of Wm. Lantrip to sue the Commonwealth.

S. B. 336. An Act appropriating $5,000.00 out of the general fund for the purpose of erecting statue of Jefferson Davis in Capitol building, etc.

S. Res. 38. Resolution authorizing Albert H. Bowen and Rosa Bowen to sue the Commonwealth.

S. B. 200. An Act relating to the licensing of motor vehicles; providing that the use of the license of any state other than Kentucky by a resident of this Commonwealth.

S. B. 217. An Act repealing and re-enacting Section 2739g-62, Carroll's Kentucky Statutes, 1930 Edition, fixing the duties of the county court clerks in all counties of the Commonwealth.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of

said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Dr. Hill moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

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THURSDAY, MARCH 15, 1934.

The House was opened with prayer by the Reverend L. B. Meadors of the county of Whitley.

The roll was called and the following members answered to their names, viz.:

| | | |
|---|---|---|
| Henry H. Allen | J. A. Coleman | W. Yancey Handy |
| Carroll D. Asbury | Sidney J. Collins | Judson Harmon |
| Levi Baker | Joel T. Crenshaw | Frank Harris |
| Harold L. Barnes | Carroll L. Cropper | R. M. Harrison, Jr. |
| Marshall Barnes | G. Cunningham | J. Joseph Hettinger |
| Robert E. Beatty | Harry Davis | Dr. A. L. Hill |
| B. F. Bedford | R. A. Demunbrun | John R. Hobbs |
| Wm. B. Belknap | S. S. Dickson | G. W. Howard |
| Reuben J. Boling | George Dunlap | Ira W. Hulette |
| O. J. Bowen | Garland Embry | G. C. Johnson |
| Jas. C. Bright | Clarence E. Evans | T. M. Johnson |
| Corbett Brown | Rudy Ferguson | F. P. Kessee |
| Wallace Brown | Kelly J. Francis | J. H. King |
| Frank C. Bruton | L. J. Gammon | Leo King |
| Hugh K. Bullitt | Ferd A. Gnau | John Kirtley |
| Mrs. Cecil Cantrill | C. Gottschalk | W. L. Knuckles, Jr. |
| Charles Chandler | J. S. Hall | Alden L. Love |

M. T. McCarthy
George R. McIntosh
Herschel McKinley
C. C. McMasters
Roy McWaters
C. C. May
J. S. Mattingly
L. B. Meadors
G. Samuel Milam
Clarence Miller
H. H. Miller
W. H. Miller
James B. Milliken
Tyler Munford
Rodes K. Myers
Robert A. Persky
Steve Pieratt
Kleber F. Price
G. M. Pritchett
Pat Rankin
Waylon Rayburn
W. P. Renfro
L. D. Sandlin
Avery Sartin
Jos. W. Schneider
Mrs. M. B. Scott
Harry Sparks
Lafe J. Spencer
Lyle C. Tackett
Elmore J. Thomas
Harry B. Thornton
J. Sterling Towles
Starling B. Tracy
Henry T. Ward
Robert E. Webb
J. B. Wicker
B. M. Williams

Mr. Rayburn moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Dr. Hill moved that the session of to-day be extended indefinitely.

Said motion was agreed to.

Mr. Evans offered the following resolution, viz.:

WHEREAS, the Liberator of Man's infirmities has in His wisdom deemed seen fit to take from us the father of our beloved member, the Hon. C. C. May of the county of Morgan; and,

Whereas, he and his family have lost their lifelong counsellor and patient and loving supporter of the noble things of life; and,

Whereas, they will mourn his loss and will miss him in the daily walks of life, yet fully cognizant that they will meet again and that the interim will be brief and that they will again be joined together with love and happiness to be theirs forever: *Now, Therefore,*

*Be It Resolved,* That the House of Representatives, do hereby extend to the Hon. C. C. May and his family, its sin-

cere and heartfelt sympathy in their hour of sorrow and share with them their bereavement. That a copy of this resolution be spread upon the Journal of the House of Representatives and a copy thereof sent to the Hon. C. C. May.

Said resolution was adopted.

Dr. Hill moved that the rules be suspended, and that the House proceed to the consideration of the Orders of the Day.

Said motion was agreed to.

The Enrolling Clerk of this House delivered the original and enrolled copies of bills entitled:

H. B. 473. An Act to empower and direct the Commissioner of Agriculture, Labor and Statistics to establish and promulgate official standard grades for green tobacco.

H. B. 400. An Act relating to taxation of motor vehicles for hire, etc.

H. B. 198. An Act relating to revenue and taxation, providing for an excise tax on manufacturing of distilled spirits, etc.

H. B. 585. An Act to authorize cities of the 1st and 2nd classes to establish, erect, etc., Low Cost Housing Projects, etc.

Which were signed by the Speaker in open session and in the presence of the House on yesterday, duly signed by the President of the Senate, into the possession.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 200. An Act relating to the licensing of motor vehicles; providing that the use of the license of any State other than Kentucky by a resident of this Commonwealth on his car, driven over the highways of this Commonwealth, shall be *prima facie* evidence of his intent to defraud this Commonwealth; providing for a penalty for the violation.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. It shall be unlawful for any resident, person, firm or corporation, operating an automobile or other motor vehicle on and over the highways of this Commonwealth, to purchase, secure or license said automobile or motor vehicle in any state other than the Commonwealth with intent to defraud the Commonwealth of Kentucky of the license tax thereon.

§ 2. The use of a license of any other State than the Commonwealth of Kentucky by a resident of this State on his car driven over the highways of this Commonwealth, shall be *prima facie* evidence of guilt.

§ 3. Any person, firm or corporation violating the terms of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than $10.00 or more than $100.00.

§ 4. Provided that nothing in this bill shall be construed to prevent the reciprocal agreements now in effect between the States.

§ 5. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | J. S. Hall | H. H. Miller |
| Carroll D. Asbury | W. Yancey Handy | W. H. Miller |
| Harold L. Barnes | Judson Harmon | James B. Milliken |
| Marshall Barnes | Frank Harris | Robert A. Persky |
| B. F. Bedford | R. M. Harrison, Jr. | Steve Pieratt |
| Wm. B. Belknap | Dr. A. L. Hill | Kleber F. Price |
| Robert E. Beatty | John R. Hobbs | G. M. Pritchett |
| O. J. Bowen | G. W. Howard | Pat Rankin |
| Corbett Brown | Ira W. Hulette | Waylon Rayburn |
| Wallace Brown | G. C. Johnson | W. P. Renfro |
| Frank C. Bruton | T. M. Johnson | L. D. Sandlin |
| Mrs. Cecil Cantrill | J. H. King | Avery Sartin |
| Charles Chandler | Leo King | Jos. W. Schneider |
| J. A. Coleman | John Kirtley | Mrs. M. B. Scott |
| Sidney J. Collins | W. L. Knuckles, Jr. | Harry Sparks |
| Joel T. Crenshaw | Alden L. Love | Lafe J. Spencer |
| Carroll L. Cropper | M. T. McCarthy | Lyle C. Tackett |
| G. Cunningham | George R. McIntosh | Elmore J. Thomas |
| Harry Davis | Herschel McKinley | Harry B. Thornton |
| R. A. Demunbrun | C. C. McMasters | J. Sterling Towles |
| George Dunlap | Roy McWaters | Starling B. Tracy |
| Garland Embry | C. C. May | Robert E. Webb |
| Clarence E. Evans | J. S. Mattingly | J. B. Wicker |
| Rudy Ferguson | L. B. Meadors | B. M. Williams |
| Ferd A. Gnau | Clarence Miller | —74 |

Resolved that the title thereof be as aforesaid.

Mr. Love moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 39. Resolution authorizing the personal representative of William Dexter Lantrip to sue the Commonwealth.

Said resolution is as follows, viz.:

JOINT RESOLUTION

WHEREAS, on the 11th day of January 1933, William Dexter Lantrip, the infant son of John L. Lantrip who resides in Madisonville, Hopkins County, Kentucky, was killed at the foot of the hill on the Madisonville and Greenville public road, just east of the intersection of the Brown Road, about one mile east of the City of Madisonville, by being run down by a truck owned by the Commonwealth of Kentucky, and then being operated and used by an employee of the State Highway Department in working upon a State Highway.

*Now, Therefore,* in order to determine by judicial action whether or not the operator of said truck was negligent in running down and killing said William Dexter Lantrip,

*Be it Resolved by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That the personal representative of the said William Dexter Lantrip be, and he is hereby, empowered and authorized to file and prosecute a suit against the Commonwealth of Kentucky for the purpose of determining the liability of the Commonwealth of Kentucky for the death of said William Dexter Lantrip, if any there be.

§ 2. Such action may be brought in any Circuit Court of the Commonwealth of Kentucky, which has jurisdiction of the subject matter, provided that any such action shall be instituted within one year from the date this resolution becomes effective.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Harry Davis | J. H. King |
| Carroll D. Asbury | R. A. Demunbrun | Leo King |
| Levi Baker | S. S. Dickson | W. L. Knuckles, Jr. |
| Harold L. Barnes | George Dunlap | Alden L. Love |
| Marshall Barnes | Garland Embry | M. T. McCarthy |
| Robert E. Beatty | Clarence E. Evans | Herschel McKinley |
| B. F. Bedford | Rudy Ferguson | Roy McWaters |
| Wm. B. Belknap | Ferd A. Gnau | C. C. May |
| O. J. Bowen | C. Gottschalk | J. S. Mattingly |
| Jas. C. Bright | W. Yancey Handy | L. B. Meadors |
| Corbett Brown | Judson Harmon | G. Samuel Milam |
| Wallace Brown | Frank Harris | Clarence Miller |
| Frank C. Bruton | R. M. Harrison, Jr. | W. H. Miller |
| Hugh K. Bullitt | J. Joseph Hettinger | Rodes K. Myers |
| Mrs. Cecil Cantrill | Dr. A. L. Hill | Robert A. Persky |
| Charles Chandler | John R. Hobbs | Kleber F. Price |
| J. A. Coleman | Ira W. Hulette | G. M. Pritchett |
| Joel T. Crenshaw | G. C. Johnson | Pat Rankin |
| Carroll L. Cropper | T. M. Johnson | W. P. Renfro |
| W. J. Curtis | F. P. Kessee | L. D. Sandlin |

| | | |
|---|---|---|
| Avery Sartin | Lyle C. Tackett | Robert E. Webb |
| Jos. W. Schneider | Elmore J. Thomas | J. B. Wicker |
| Mrs. M. B. Scott | J. Sterling Towles | B. M. Williams |
| Harry Sparks | Starling B. Tracy | |
| Lafe J. Spencer | Henry T. Ward | —73 |

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 38. Resolution authorizing Albert H. Bowman and Rosa Bowman, his wife, to file suits against the Commonwealth of Kentucky and the State Highway Commission, or either.

Said resolution is as follows, viz.:

WHEREAS, in July, 1932, on the Booneville and Beattyville state road between said places and in Owsley County, Kentucky, the State Highway Commission in constructing and repairing said highway aforesaid, negligently left an open ditch across the said highway about three (3) feet deep, and piles of rock and other debris unguarded, unlighted, and unprotected in any way, and whereas, Albert H. Bowman and Rosa Bowman, in the night time, while driving along said highway, by reason of said negligence, did not know and could not see said ditch, crashed in their automobile into said ditch and permanently injured each of them:

*Now,* in order that they may determine their rights by judicial action and the question of negligence, if any, causing said injury to each of them may be determined by judicial action,

*Be it Resolved by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That Albert H. Bowman and Rosa Bowman be and hereby empowered and authorized to file suits against the Commonwealth of Kentucky and the State Highway Commission or either, for the purpose of determining the liability of the Commonwealth of Kentucky and the State Highway Commission or either, for such injuries and damage, if any there be, arising from above stated facts; and in the event any judgment in either action is recovered by said Albert H. Bowman and Rosa Bowman, or either of them, or same are compromised and settled, the judgments or amount agreed on in compromise, if any, shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer and paid out of the general fund.

§ 2. Said action may be brought in any county having jurisdiction of the parties and subject matter.

§ 3. Either party to any suit may appeal from any judgment which may be entered therein as in any other civil suit and the case may be settled and adjusted with the consent and approval of the Attorney-General of Kentucky in the same way as any other civil case.

That the limit of recovery for personal injuries to Albert H. Bowman shall be six thousand dollars ($6,000.00) and the limit of recovery for Rosa Bowman for personal injuries shall be six thousand dollars ($6,000.00).

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | C. Gottschalk | W. H. Miller |
| Carroll D. Asbury | J. S. Hall | Rodes K. Myers |
| Levi Baker | W. Yancey Handy | Steve Pieratt |
| Harold L. Barnes | Judson Harmon | Kleber F. Price |
| Marshall Barnes | R. M. Harrison, Jr. | G. M. Pritchett |
| Robert E. Beatty | J. Joseph Hettinger | Pat Rankin |
| B. F. Bedford | Dr. A. L. Hill | Waylon Rayburn |
| Jas. C. Bright | John R. Hobbs | L. D. Sandlin |
| Corbett Brown | Ira W. Hulette | Avery Sartin |
| Wallace Brown | G. C. Johnson | Jos. W. Schneider |
| Frank C. Bruton | T. M. Johnson | Mrs. M. B. Scott |
| Hugh K. Bullitt | Leo King | Harry Sparks |
| Mrs. Cecil Cantrill | John Kirtley | Lafe J. Spencer |
| Charles Chandler | W. L. Knuckles, Jr. | Lyle C. Tackett |
| J. A. Coleman | Alden L. Love | Elmore J. Thomas |
| Joel T. Crenshaw | M. T. McCarthy | Harry B. Thornton |
| Carroll L. Cropper | George R. McIntosh | J. Sterling Towles |
| G. Cunningham | C. C. McMasters | Starling B. Tracy |
| R. A. Demunbrun | Roy McWaters | Henry T. Ward |
| Garland Embry | C. C. May | Robert E. Webb |
| Clarence E. Evans | J. S. Mattingly | J. B. Wicker |
| Rudy Ferguson | L. B. Meadors | B. M. Williams |
| Ferd A. Gnau | G. Samuel Milam | —68 |

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Speaker laid before the House the following communication, viz.:

Hon. W. E. Rogers, Speaker of the House,
Frankfort, Kentucky.

Dear Sir:

The Executive Committee of the Mammoth Cave National Park Association at its meeting held today unanimously passed the following resolution, copy of which I was instructed to send you.

Sincerely yours,

W. W. THOMPSON, *Executive Secretary.*

*Resolved:* That the Executive Committee of the Mammoth Cave National Park Association, representing 17,000 Kentuckians who subscribed individually to the park project, express its sincere and hearty appreciation of the support given the Mammoth Cave National Park project by the Administration and the 1934 Legislature of the State of Kentucky in providing an appropriation which, together with Federal funds and other funds, will make possible the fruition of the plans to establish a national park in the Mammoth Cave area.

*It is Further Resolved,* That the Executive Committee of the Mammoth Cave National Park Association heartily recommend and appeal to the people of Kentucky to cooperate with the State administration in its efforts to pass the necessary revenue bill to insure the completion of the Mammoth Cave National Park project and the Federal road project contingent on it, and for all other needful purposes.

Mr. Floyd moved that the House do now resolve itself into a Committee of the Whole House for the purpose of completing a roll call of the House to determine whether a member of this House wrote or signed the article "Psalm of Politics" which appeared in the Courier-Journal on March 6, 1934, and which was laid on the Clerk's desk on yesterday to await the return of the absentees.

Said motion was agreed to.

Thereupon the Speaker vacated the Chair and designated Mr. Evans as Chairman of the Committee of the Whole House.

Thereupon the names of the absentees who appeared on the roll call of yesterday, to-wit: Messrs. Floyd, Keesee and May, were called.

Each one of whom answered in the negative.

Mr. Bullitt moved that the Journal of this House show that the article "Psalm of Politics" as referred to by this House, appeared in the Courier-Journal on March 6, 1934.

The Speaker resumed the Chair, and Mr. Evans of the Committee of the Whole House reported that the roll call of the House had been completed and requested the Speaker, in compliance with a motion made by Mr. Myers, to appoint a committee of three members to draft a resolution calling on the Courier-Journal to tell the people of Kentucky who wrote and who signed the "Psalm of Politics" which appeared in the Courier-Journal on March 6, 1934.

Thereupon the Speaker appointed Messrs. Allen, Knuckles and Webb as members constituting said Committee.

Said motion was agreed to.

Mr. Myers moved that the Speaker appoint a Committee of three members to draft a resolution to be introduced in the House calling upon the Courier-Journal to tell the people of Kentucky, who wrote and who signed the "Psalm of Politics" which appeared in the Courier-Journal on March 6, 1934.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Wallace Brown and McKinley, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | C. Gottschalk | Clarence Miller |
| Harold L. Barnes | J. S. Hall | W. H. Miller |
| Robert E. Beatty | Judson Harmon | James B. Milliken |
| B. F. Bedford | J. Joseph Hettinger | Rodes K. Myers |
| Reuben J. Boling | John R. Hobbs | Robert A. Persky |
| Frank C. Bruton | G. W. Howard | M. D. Phelps |
| Hugh K. Bullitt | T. M. Johnson | Waylon Rayburn |
| Mrs. Cecil Cantrill | F. P. Kessee | L. D. Sandlin |
| J. A. Coleman | John Kirtley | Avery Sartin |
| Joel T. Crenshaw | W. L. Knuckles, Jr. | Mrs. M. B. Scott |
| Carroll L. Cropper | Glenn W. Lane | Lafe J. Spencer |
| G. Cunningham | Alden L. Love | Lyle C. Tackett |
| W. J. Curtis | M. T. McCarthy | J. Sterling Towles |
| Rudy Ferguson | Roy McWaters | Starling B. Tracy |
| W. J. Garnett | C. C. May | Robert E. Webb |
| Ferd A. Gnau | G. Samuel Milam | —47 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Wm. B. Belknap | Frank Harris | G. M. Pritchett |
| Wallace Brown | R. M. Harrison, Jr. | Pat Rankin |
| Sidney J. Collins | G. C. Johnson | W. P. Renfro |
| Harry Davis | J. H. King | Jos. W. Schneider |
| R. A. Demunbrun | George R. McIntosh | Harry Sparks |
| S. S. Dickson | Herschel McKinley | John W. Taylor |
| George Dunlap | C. C. McMasters | Elmore J. Thomas |
| Garland Embry | J. S. Mattingly | Henry T. Ward |
| T. P. Fitzpatrick | H. H. Miller | B. M. Williams |
| Kelly J. Francis | Steve Pieratt | |
| Ralph Gilbert | Kleber F. Price | —31 |

Mr. Belknap offered the following resolution, viz.:

*Be it Resolved by the House of Representatives of Kentucky:* That all reasonable expenses of the law suit instituted against any of its committees be met by the State of Kentucky.

Mr. Bullitt moved that said resolution be laid on the table.

Said motion was agreed to.

Mr. Bullitt moved that the Committee of the Whole House do now arise.

Said motion was agreed to.

The hour of twelve o'clock Meridian, having arrived, Dr. Hill moved that the House do now recess until the hour of one-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

## AFTERNOON SESSION.

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

A message was received from the Senate announcing that they had concurred in a resolution which originated in this House, entitled:

H. Res. 78. Resolution requesting the Governor to call the General Assembly in an Extraordinary session.

H. B. 691. An Act to allow holders of teachers' certificates to take 1934 examination regardless of educational qualification.

H. B. 601. An Act providing for payment of ad valorem taxes of 4th class cities in two equal installments.

H. B. 369. An Act to change uniform fiscal year for counties so that it will end on June 30, instead of December 31, of each calendar year.

H. B. 322. An Act to appropriate $800 per annum for care of each of the five living Confederate veterans.

H. B. 323. An Act to appropriate $100 per annum for upkeep of Confederate Cemetery at Pewee Valley.

H. B. 635. An Act to permit boards of trustees of school districts in cities from 2nd to 6th class, inclusive, to convey real estate for school sites.

H. B. 636. An Act to permit cities of 2nd to 6th class, inclusive to acquire elementary and/or high school buildings by bond issues.

H. B. 637. An Act to permit boards of trustees of county school districts and independent districts to convey real estate for school sites.

H. B. 638. An Act to permit counties to acquire elementary and/or high school buildings.

H. B. 639. An Act to authorize University of Kentucky to acquire buildings for school purposes.

H. B. 362. An Act fixing penalty at life imprisonment or death, in the discretion of the jury, for offense of assault with intent to rob.

H. B. 650. An Act to provide to each chancery branch

of circuit courts, in counties of 200,000 population, or over, special clerical assistants to respective judges in such chancery branches.

H. B. 9. An Act to amend provisions of the Blue Sky Law as regards regulation of surety bonds, etc.

H. B. 859. An Act relating to appropriations of preceding fiscal years.

H. B. 543. An Act to create a State Planning Board of nine members.

H. B. 662. An Act to regulate the manufacture and possession of, and issuance of prescriptions for, and sale of opium, etc.

H. B. 565. An Act to permit cities of the 2nd class to acquire and operate toll bridges across navigable streams.

H. B. 560. An Act to require the State Inspector and Examiner to inspect and examine condition and management of all counties.

H. Res. 55. Resolution authorizing payment of money to certain Capitol employees.

Ordered that said bills and resolutions be delivered to the Enrolling Clerk of this House.

Mr. Webb of the Committee heretofore appointed by the Speaker to draft a resolution calling upon the Courier-Journal to tell the people of Kentucky who wrote and who signed the "Psalm of Politics" which appeared in the Courier-Journal on March 6, 1934, offered the following resolution, viz.:

WHEREAS, a communication was published in the Louis-

ville Courier-Journal, March 6, 1934, styled "Psalm of Politics", signed "A Member of the House of Representatives", alleging that lobbyists were controlling the Speaker; and,

Whereas, the Special Investigating Committee appointed by this House to investigate the conduct of lobyists subpoenaed Vance Armentrout, acting editor of the Louisville Courier-Journal, and questioned him under oath to reveal the name of the author of said communication for the purpose of summoning the author of said article before said Special Investigating Committee to ascertain the name or names of the persons controlling the Speaker in his actions as presiding officer of this House; and,

Whereas, the said Armentrout refused to reveal the name of the author of the "Psalm of Politics" in contempt and defiance of said Special Investigating Committee and this House; and,

Whereas, the "Psalm of Politics" as published in the Louisville Courier-Journal reflected upon the honesty and integrity of the Speaker of this House; and,

Whereas, on Wednesday, March 14, 1934, this House by unanimous action went into a committee of the Whole and each member of this House publicly denied writing the "Psalm of Politics" or having any knowledge of the author of said article; and,

Whereas, Robert Worth Kingham, who is the owner and publisher of the Louisville Courier-Journal, is now Ambassador from the United States to the Court of St. James: *Now, Therefore,*

*Be it Resolved, by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:*

That since each member of this body has denied writing the article styled "Psalm of Politics" and it is the sense of this House that said statement signed "A Member of the House of Representatives" is untrue, false, malicious and libelous;

*Be it Further Resolved,* That the Louisville Courier-Journal be and it is hereby commanded to submit to this House, within six (6) hours after the adoption of this resolution, a sworn statement giving the name of the author of the "Psalm of Politics";

*Be it Further Resolved,* That upon the failure of the said Louisville Courier-Journal to submit to this House the name of the author of said statement as requested by this Resolution, the Honorable J. Erwin Sanders, Chief Clerk of this House, is directed to send an attested copy of this Resolution to the Honorable Franklin Delano Roosevelt, President of the United States, requesting that he recall the Honorable Robert Worth Bingham, Ambassador to the Court of St. James, for permitting a false and libelous statement detrimental to the Legislative body and people of the Commonwealth of Kentucky to be published in a paper owned and controlled by him, without revealing the author of such statement;

*Be it Further Resolved,* That the Chief Clerk of this House immediately upon the passage of this Resolution, telegraph same to the Louisville Courier-Journal, Louisville, Kentucky, and that same be spread upon the Journal of the House of Representatives.

Mr. Ward moved that said resolution be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Webb and Ward, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Jas. C. Bright | Harry Davis |
| Levi Baker | Corbett Brown | R. A. Demunbrun |
| Marshall Barnes | Wallace Brown | S. S. Dickson |
| Wm. B. Belknap | Sidney J. Collins | George Dunlap |

| | | |
|---|---|---|
| Garland Embry | G. C. Johnson | Steve Pieratt |
| J. B. Floyd | J. H. King | Kleber F. Price |
| W. J. Garnett | George R. McIntosh | G. M. Pritchett |
| Ralph Gilbert | Herschel McKinley | W. P. Renfro |
| W. Yancey Handy | C. C. McMasters | Jos. W. Schneider |
| Frank Harris | J. S. Mattingly | Elmore J. Thomas |
| R. M. Harrison, Jr. | H. H. Miller | Harry B. Thornton |
| J. Joseph Hettinger | James B. Milliken | Henry T. Ward |
| Ira W. Hulette | James I. Peters | —38 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Henry H. Allen | Dr. A. L. Hill | Tyler Munford |
| Harold L. Barnes | John R. Hobbs | Rodes K. Myers |
| Robert E. Beatty | G. W. Howard | Richard H. Nufer |
| B. F. Bedford | T. M. Johnson | Robert A. Persky |
| Hugh K. Bullitt | F. P. Kessee | Waylon Rayburn |
| Mrs. Cecil Cantrill | John Kirtley | L. D. Sandlin |
| Charles Chandler | W. L. Knuckles, Jr. | Avery Sartin |
| J. A. Coleman | Glenn W. Lane | Mrs. M. B. Scott |
| Joel T. Crenshaw | Alden L. Love | Lafe J. Spencer |
| Carroll L. Cropper | M. T. McCarthy | Lyle C. Tackett |
| G. Cunningham | Roy McWaters | John W. Taylor |
| W. J. Curtis | C. C. May | J. Sterling Towles |
| Rudy Ferguson | L. B. Meadors | Starling B. Tracy |
| Ferd A. Gnau | G. Samuel Milam | Robert E. Webb |
| C. Gottschalk | Clarence Miller | |
| Judson Harmon | W. H. Miller | —46 |

Said resolution was then adopted.

The yeas and nays being required thereon by Messrs. Myers and Gnau, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | B. F. Bedford | Mrs. Cecil Cantrill |
| Harold L. Barnes | Reuben J. Boling | Charles Chandler |
| Robert E. Beatty | Hugh K. Bullitt | J. A. Coleman |

| | | |
|---|---|---|
| Joel T. Crenshaw | F. P. Kessee | Robert A. Persky |
| Carroll L. Cropper | W. L. Knuckles, Jr. | Waylon Rayburn |
| G. Cunningham | Glenn W. Lane | L. D. Sandlin |
| W. J. Curtis | Alden L. Love | Avery Sartin |
| Rudy Ferguson | M. T. McCarthy | Mrs. M. B. Scott |
| Ferd A. Gnau | Roy McWaters | Lafe J. Spencer |
| C. Gottschalk | C. C. May | Lyle C. Tackett |
| Judson Harmon | L. B. Meadors | J. Sterling Towles |
| Dr. A. L. Hill | G. Samuel Milam | Starling B. Tracy |
| John R. Hobbs | Clarence Miller | Robert E. Webb |
| G. W. Howard | W. H. Miller | B. M. Williams |
| T. M. Johnson | Rodes K. Myers | —44 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Carroll D. Asbury | W. J. Garnett | H. H. Miller |
| Levi Baker | Ralph Gilbert | James B. Milliken |
| Marshall Barnes | W. Yancey Handy | Tyler Munford |
| Wm. B. Belknap | Frank Harris | Richard H. Nufer |
| Corbett Brown | R. M. Harrison, Jr. | James I. Peters |
| Wallace Brown | J. Joseph Hettinger | Steve Pieratt |
| Sidney J. Collins | Ira W. Hulette | Kleber F. Price |
| Harry Davis | G. C. Johnson | G. M. Pritchett |
| R. A. Demunbrun | J. H. King | W. P. Renfro |
| S. S. Dickson | George R. McIntosh | Jos. W. Schneider |
| George Dunlap | Herschel McKinley | Elmore J. Thomas |
| Garland Embry | C. C. McMasters | Harry B. Thornton |
| J. B. Floyd | J. S. Mattingly | Henry T. Ward |
| | | —39 |

Dr. Hill moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

After a time the Chief Clerk reported that he had discharged that duty imposed upon him by said resolution and

that he dispatched said resolution by wire to the Courier-Journal, at the hour of three: fifty-two o'clock P. M., and that the Western Union Telegraph Company reported that said message was delivered to the Louisville Courier-Journal, Louisville, Kentucky, at four: ten o'clock P. M.

Mr. Towles of the Special Investigating Committee offered the following report:

REPORT OF THE SPECIAL INVESTIGATING COMMITTEE
REPORT No. 3

The Special Investigating Committee of the House of Representatives herewith reports to the House that it makes its final report on this the 15th day of March, 1934, as the same is the sixtieth legislative day of the 1934 regular session.

The Committee reports that it has been in existence for about three weeks, that its members and all of them have had the duties of this Committee in addition to attending to all of their duties in the House of Representatives, and that the burden of work has been heavy. The Committee reports that it has brought before it and examined some forty witnesses of all kinds and from all walks of life concerning lobbying activities or concerning suffrage and election, as provided in the Resolution.

Your Committee further reports that the chief trouble it had, and the chief crime it discovered, among the witnesses before it was perjury. It recommends to the Attorney General of the Commonwealth and to his assistants, and to the Honorable William Ardery, Commonwealth's Attorney for Franklin County, that they investigate thoroughly from the written record and from all of the exhibits the truth or falsity of the material statements of the witnesses, by Grand Jury investigation, and report such indictments for perjury or false swearing, as the case may be, as they see fit, and prosecute the same vigorously. When the written exhibits and the facts which are common knowledge to all are compared with

the sworn testimony of some of the witnesses, it is quite evident to this Committee, and should be to the Grand Jury, that perjury concerning material facts within the scope of the Committee's authority went on at a wholesale rate.

The Committee further reports that it has filed all exhibits obtained from all witnesses with the Attorney General of the Commonwealth of Kentucky, and that the same are either part of the transcript of the record of this Committee or else in the safe in the Attorney General's office on the first floor of the Capitol at Frankfort. The Attorney General and all Commonwealth's Attorneys who may be concerned in the same are hereby ordered to have free access to the same and ordered to compare and study the same more carefully than was possible within the brief time of this Committee's existence.

The Committee further finds that it has made its previous reports to the Honorable House of Representatives; Report Number One dealt with the lobbying activities of all persons, especially the various departments of the State, and Report Number Two dealt with contempt of the House by the Editor of the Louisville Courier-Journal. Your Committee affirms and reiterates said Report Number One, and the House, by its action on March 14, 1934, has solemnly re-affirmed Report Number Two.

The Committee further finds that numerous corporations have, during the 1934 regular session of the General Assembly of the Commonwealth of Kentucky, violated the Corrupt Practice Act, the same being the Act of 1916 as amended, but it was impossible for the Committee in this short space of time to obtain complete legal evidence against these corporations. It does, however, recommend that their activities be investigated by the Honorable Attorney General of the Commonwealth and the law enforcement officers of the Commonwealth in regard to lobbying, corrupt practices, et cetera, particularly in connection with the conduct of the said lob-

byists in and about the hotels of Frankfort, and the lobby, corridors and floor of the Senate.

The Committee further finds definite and indisputable proof that the worst violator of Section 150 of the Constitution of Kentucky and the Statutes made in pursuance thereof is the body corporate known as "The Kentucky Retail Merchants Association". The Committee finds that thousands of merchants in the State of Kentucky have contributed to this corporation in the very best of good faith, not knowing that the activities of certain of the officers of the corporation, but not all of them, were in violation of the law, and the Committee absolves these individual merchants from any wrongdoing, either in fact or intent or desire. The Committee finds, however, that a small group of officers, including the president, secretary, and former president of the said corporation, willfully violated Section 150 of the Constitution of the Commonwealth and the Statutes made in pursuance thereof, especially the Corrupt Practice Act of 1916, and it calls attention to the fact as well as to Section 151 of the Constitution of Kentucky. The Committee recommends that this evidence be investigated carefully by the Attorney General of the Commonwealth and by the Commonwealth's Attorneys for the various counties of the Commonwealth, particularly by the Honorable William Ardery and the Honorable Merit O'Neal in Franklin and Jefferson Counties, respectively; and the Committee further recommends that the said law enforcement officers examine the exhibits and the record of testimony of this Committee and expand the same, by bringing in other witnesses and completely investigating the acts of the aforesaid officers of the corporation in regard to the illegal use of money, and of other things of value, such as advertising, patronage, et cetera, in order to obtain from candidates for the House and Senate before their election thereto promises to vote according to the wishes of the said officers and the said corporation. The Committee immediately institute proceedings, under the mandate of the people of Kentucky as ex-

pressed by the Constitution and the Statutes, to forfeit the charter of the said corporation, and that the Commonwealth's Attorneys aforesaid institute Grand Jury proceedings to punish such officers of the said corporation as may be indicted.

The Committee further recommends that the Attorney General and the Honorable Merit O'Neal, of Jefferson County, investigate the corporation known as The Courier-Journal and The Louisville Times, located in Louisville, Kentucky, for the publication of a criminal libel against the officers of the Commonwealth of Kentucky, and, in this connection, your Committee respectfully calls attention to the fact that an indictment for libel is not barred by contempt proceedings (see, for instance, Kentucky Statutes, Section 1299).

In conclusion, the Committee commends highly the officers of the present House of Representatives, and each and every member thereof, and it finds that no member of the said House has knowingly committed any illegal act, although the Committee deplores the fact that the officers aforesaid of the corporation aforesaid, have been able, through influence and other things of value, to attempt to extract promises before the election as to the vote of approximately sixty members of the House on questions of revenue and taxation. The Committee finds that this is undeniably a breach of the Constitution and of the peace and dignity of the Commonwealth. The Committee recommends that the next regular session of the General Assembly enact more stringent laws to control and regulate lobbying in the Commonwealth before and during any session of the General Assembly, either regular or special, and that laws be enacted to prohibit all lobbyists from entering the Capitol building during actual sessions of either House or Senate in the future.

The Committee believes from the testimony before it that many of the charges against lobbyist and members of the House and Senate are exaggerated, and some are outright falsehoods.

The Committee commends the officers, employees, help, and members of the 1934 General Assembly.

Respectfully submitted,
HUGH K. BULLITT, Chairman.

March 15, 1934.

Which was received by the House and ordered to be spread upon the Journal.

Mr. Towles offered the following resolution, viz.:

Resolution to pay to Mrs. Reba Burrow Flynn the sum of $75.00.

*Be it Resolved by the House of Representatives, of the General Assembly of the Commonwealth of Kentucky,* That the Clerk of the House of Representatives is hereby ordered and directed to pay Mrs. Rebe Burrow Flynn the sum of $75.00 for services in taking evidence before the Special Investigating Committees, said sum is to be paid from the Contingent Fund of the House of Representatives.

Said resolution was adopted.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Corbett Brown | Harry Davis |
| Carroll D. Asbury | Hugh K. Bullitt | S. S. Dickson |
| Harold L. Barnes | Mrs. Cecil Cantrill | Rudy Ferguson |
| Robert E. Beatty | Charles Chandler | Kelly J. Francis |
| B. F. Bedford | J. A. Coleman | W. J. Garnett |
| Wm. B. Belknap | Joel T. Crenshaw | Ralph Gilbert |
| Reuben J. Boling | Carroll L. Cropper | Ferd A. Gnau |
| O. J. Bowen | G. Cunningham | C. Gottschalk |
| Jas. C. Bright | W. J. Curtis | W. Yancey Handy |

| | | |
|---|---|---|
| Judson Harmon | Alden L. Love | L. D. Sandlin |
| Frank Harris | M. T. McCarthy | Avery Sartin |
| R. M. Harrison, Jr. | Roy McWaters | Jos. W. Schneider |
| Dr. A. L. Hill | C. C. May | Mrs. M. B. Scott |
| John R. Hobbs | G. Samuel Milam | Lafe J. Spencer |
| G. W. Howard | Clarence Miller | J. Sterling Towles |
| T. M. Johnson | W. H. Miller | Starling B. Tracy |
| F. P. Kessee | James B. Milliken | Henry T. Ward |
| Leo King | Tyler Munford | Robert E. Webb |
| John Kirtley | Robert A. Persky | B. M. Williams |
| W. L. Knuckles, Jr. | Kleber F. Price | —61 |
| Glenn W. Lane | Waylon Rayburn | |

Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | Herschel McKinley | John W. Taylor |
| Sidney J. Collins | J. S. Mattingly | —5 |

Mr. Towles moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 350. An Act to amend the Constitution of the Commonwealth of Kentucky, relating to old age pensions or pensions of persons of old age.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That upon the concurrence of three-fifths of all the members elected to each house of the General Assembly of the Commonwealth of Kentucky, the yeas and nays being

taken thereon and entered in full on their respective journals that there be and is hereby adopted an amendment to the Constitution of Kentucky, which shall read as follows:

The General Assembly may prescribe such laws as may be necessary for the granting and paying of old persons an annuity or pension.

§ 2. This amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under Section 256 of the Constitution of Kentucky under Section 1459 of Baldwin's Revised Edition of Carroll's Kentucky Statutes, 1930 Official Edition.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | D. B. Coughlin | Ferd A. Gnau |
| Levi Baker | Joel T. Crenshaw | C. Gottschalk |
| Harold L. Barnes | Carroll L. Cropper | J. S. Hall |
| Marshall Barnes | W. J. Curtis | W. Yancey Handy |
| Wm. B. Belknap | Harry Davis | Judson Harmon |
| O. J. Bowen | R. A. Demunbrun | Frank Harris |
| Jas. C. Bright | George Dunlap | R. M. Harrison, Jr. |
| Corbett Brown | Garland Embry | J. Joseph Hettinger |
| Frank C. Bruton | Rudy Ferguson | Dr. A. L. Hill |
| Hugh K. Bullitt | T. P. Fitzpatrick | John R. Hobbs |
| Mrs. Cecil Cantrill | Kelly J. Francis | G. W. Howard |
| Charles Chandler | W. J. Garnett | Ira W. Hulette |
| J. A. Coleman | Ralph Gilbert | G. C. Johnson |

| | | |
|---|---|---|
| F. P. Kessee | Clarence Miller | Avery Sartin |
| J. H. King | H. H. Miller | Jos. W. Schneider |
| Leo King | W. H. Miller | Mrs. M. B. Scott |
| W. L. Knuckles, Jr. | Rodes K. Myers | Harry Sparks |
| Glenn W. Lane | Richard H. Nufer | Lyle C. Tackett |
| Alden L. Love | Robert A. Persky | John W. Taylor |
| M. T. McCarthy | M. D. Phelps | Elmore J. Thomas |
| George R. McIntosh | Steve Pieratt | Starling B. Tracy |
| Herschel McKinley | Kleber F. Price | Henry T. Ward |
| C. C. McMasters | G. M. Pritchett | Robert E. Webb |
| C. C. May | Waylon Rayburn | J. B. Wicker |
| L. B. Meadors | W. P. Renfro | B. M. Williams |
| G. Samuel Milam | L. D. Sandlin | —77 |

There voted in the negative—

J. S. Mattingly —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 342. An Act to amend and re-enact Section 772a (subsections 1 to 4, both inclusive) of Carroll's Kentucky Statutes of 1928, being Chapter 18, Acts of the General Assembly of 1920, relating to the operation of passenger train service on railroads in this Commonwealth.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That Section 772a of Carroll's Kentucky Statutes of 1928, being Chapter 18, Acts of the General Assembly of 1920, including subsections 1 to 4, both inclusive, of said section, be and the same is hereby amended by striking out all of said section, including subsections thereof, and inserting in lieu thereof the following:

"Upon the application of any carrier by railroad, and after such notice to the public and such hearing as the Commission may by order prescribe, the Railroad Commission of Kentucky shall have the power, and it shall be its duty, to authorize common carriers by railroad to discontinue passenger service by railroad on any line of railroad or branch thereof in this State, whenever in the opinion of said Railroad Commission any such passenger service by railroad has been and is being carried on at a loss and there is no reasonable probability that such condition will in the future change for the better, or whenever any passenger service by railroad has for any reason become unnecessary in the public interest."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance wtih the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Hugh K. Bullitt | W. J. Curtis |
| Robert E. Beatty | Mrs. Cecil Cantrill | S. S. Dickson |
| B. F. Bedford | Sidney J. Collins | George Dunlap |
| Wm. B. Belknap | Joel T. Crenshaw | Clarence E. Evans |
| Reuben J. Boling | Carroll L. Cropper | Rudy Ferguson |
| Wallace Brown | G. Cunningham | J. B. Floyd |

| | | |
|---|---|---|
| Kelly J. Francis | J. H. King | Robert A. Persky |
| L. J. Gammon | Leo King | James I. Peters |
| Ralph Gilbert | Glenn W. Lane | Steve Pieratt |
| Ferd A. Gnau | Alden L. Love | Kleber F. Price |
| J. S. Hall | George R. McIntosh | Waylon Rayburn |
| W. Yancey Handy | C. C. May | Harry Sparks |
| J. Joseph Hettinger | J. S. Mattingly | Lafe J. Spencer |
| John R. Hobbs | G. Samuel Milam | Harry B. Thornton |
| G. W. Howard | H. H. Miller | Starling B. Tracy |
| T. M. Johnson | W. H. Miller | Henry T. Ward |
| F. P. Kessee | Tyler Munford | J. B. Wicker |

—51

Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | Judson Harmon | G. M. Pritchett |
| Harold L. Barnes | Frank Harris | L. D. Sandlin |
| Marshall Barnes | R. M. Harrison, Jr. | Avery Sartin |
| O. J. Bowen | Dr. A. L. Hill | Jos. W. Schneider |
| Corbett Brown | Ira W. Hulette | Mrs. M. B. Scott |
| Frank C. Bruton | G. C. Johnson | Lyle C. Tackett |
| J. A. Coleman | W. L. Knuckles, Jr. | John W. Taylor |
| D. B. Coughlin | Herschel McKinley | J. Sterling Towles |
| Harry Davis | L. B. Meadors | Robt. E. Webb |
| Garland Embry | Clarence Miller | B. M. Williams |

—30

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 207. An Act to repeal and re-enact Section 1697,

Carroll's Kentucky Statutes, Baldwin's 1933 Supplement, and repeal Section 1698, Carroll's Kentucky Statutes, 1930 Edition, relating to personal exemptions of families.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section 1697 of Carroll's Kentucky Statutes, Baldwin's 1933 Supplement, be and the same is hereby repealed and re-enacted to read as follows:

Section 1697. Exempted personal property of persons with a family.—The following property of persons with a family resident in this Commonwealth, shall be exempt from execution, attachment, distress, or fee-bill, namely: Two work beasts, not to exceed three hundred dollars ($300.00) in value, or one automobile, not to exceed two hundred and fifty dollars ($250.00) in value, or one tractor, not to exceed four hundred dollars ($400.00) in value; two plows and gear; one wagon and set of gear, or cart or dray, or buggy; two axes, three hoes, one spade, one shovel; two cows and calves, not to exceed one hundred twenty dollars ($120.00) in value; beds, bedding and furniture sufficient for all family rooms in use; all books not to exceed seventy-five dollars ($75.00) in value; two saddles and their appendages; two bridles; one cradle; all the poultry on hand, not exceeding seventy-five dollars ($75.00) in value; ten head of sheep, not to exceed fifty dollars ($50.00) in value; all wearing apparel; sufficient provisions, including bread-stuff and animal food to sustain the family one year; provender suitable for live stock, if there be any such stock, not to exceed seventy dollars ($70.00) in value; and if such provender be not on hand, such other property as shall not exceed said sum in value; all washing apparatus, not to exceed seventy-five dollars ($75.00) in value; one sewing machine, and all family portraits and pictures; one cooking stove and appendages, and other cooking utensils; ninety per centum (90%) of the salary, wages or income

earned by labor, of every person with a family earning a salary, wages or income of seventy-five dollars ($75.00) or less per month, provided that the lien created by service of garnishment, execution, or attachment, shall only affect ten per centum (10%) of said salary, wages, or income, earned at the time of service of process; of the salary, wages, or income earned by labor, of every person earning a salary, wages or income in excess of seventy-five dollars ($75.00) per month, sixty-seven and one-half dollars ($67.50) per month and no more shall be exempt.

If the officer making the levy believes that any of the property above mentioned exceeds in value the respective sums designated, or if the plaintiff in the writ levied by the officer demands it, the officer shall have said property appraised by two disinterested housekeepers of the county, one to be selected by the officer, and the other to be selected by the defendant, and in case of disagreement, then the two shall select a third, who shall be sworn by the officer to discharge the duties of appraisers as required by law in the appraisement of real estate to be sold under execution; and if it shall appear by said appraisement any of said property has a greater value than the amount above specified, then said property shall be sold, and the defendant allowed out of the proceeds of each piece of property the sums above specified respectively. The officer shall return the appraisement with the writ under which he was acting.

Mr. W. H. Miller offered the following amendment to said bill, viz.:

Amend S. B. 207 in House by striking from lines 8 and 9 of page 1 the following words and figures "or one automobile not to exceed two hundred and fifty dollars ($250.00) in value."

Mr. Evans moved that said amendment be laid on the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Evans and Gnau, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | J. S. Hall | Rodes K. Myers |
| Carroll D. Asbury | W. Yancey Handy | James I. Peters |
| Harold L. Barnes | Judson Harmon | Steve Pieratt |
| B. F. Bedford | Frank Harris | W. P. Renfro |
| Reuben J. Boling | R. M. Harrison, Jr. | L. D. Sandlin |
| O. J. Bowen | J. Joseph Hettinger | Avery Sartin |
| Corbett Brown | John R. Hobbs | Jos. W. Schneider |
| Frank C. Bruton | Ira W. Hulette | Mrs. M. B. Scott |
| J. A. Coleman | G. C. Johnson | Lafe J. Spencer |
| Sidney J. Collins | T. M. Johnson | Lyle C. Tackett |
| D. B. Coughlin | Leo King | Elmore J. Thomas |
| Joel T. Crenshaw | John Kirtley | J. Sterling Towles |
| Carroll L. Cropper | Glenn W. Lane | Starling B. Tracy |
| G. Cunningham | George R. McIntosh | Robert E. Webb |
| Harry Davis | C. C. McMasters | J. B. Wicker |
| S. S. Dickson | L. B. Meadors | B. M. Williams |
| Garland Embry | Clarence Miller | |
| J. B. Floyd | W. H. Miller | —52 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | Rudy Ferguson | James B. Milliken |
| Robert E. Beatty | W. J. Garnett | Tyler Munford |
| Jas. C. Bright | F'erd A. Gnau | Robert A. Persky |
| Wallace Brown | J. H. King | Kleber F. Price |
| Hugh K. Bullitt | M. T. McCarthy | Harry Sparks |
| Mrs. Cecil Cantrill | Herschel McKinley | Henry T. Ward |
| Charles Chandler | Roy McWaters | |
| Clarence E. Evans | H. H. Miller | —22 |

And so said bill was tabled.

A message was received from the Senate announcing that they had passed a bill which originated in this House, entitled:

H. B. 808. An Act relating to the present employees of the General Assembly, providing compensation for their services, etc.

With an amendment thereto as proposed by the Senate.

(For bill see House Journal of March 12.)

Said amendments as proposed by the Senate are as follows, viz.:

Amend H. B. 808 in Senate by striking out the amount "$4,734.00" in lines 5 and 15, Section 1 of printed bill, and inserting the amount "$4,800.00."

Amend H. B. 808 in Senate by adding at the end thereof this provision: "Provided, that the Janitor of the Senate, who is a constitutional officer, shall be paid out of the amount hereby appropriated, his legal salary, or at least not less than six dollars per day, and there is hereby appropriated the additional sum of $300.00 for said purpose."

Mr. Gnau moved that said amendments be concurred in.

Said motion was agreed to.

Said amendments were each concurred in.

The yeas and nays being taken thereon were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | J. B. Floyd | C. C. May |
| Harold L. Barnes | W. J. Garnett | G. Samuel Milam |
| Marshall Barnes | Ferd A. Gnau | H. H. Miller |
| Robert E. Beatty | C. Gottschalk | W. H. Miller |
| B. F. Bedford | J. S. Hall | James B. Milliken |
| Reuben J. Boling | W. Yancey Handy | Tyler Munford |
| O. J. Bowen | Judson Harmon | Rodes K. Myers |
| Jas. C. Bright | Frank Harris | Richard H. Nufer |
| Corbett Brown | R. M. Harrison, Jr. | Robert A. Persky |
| Wallace Brown | J. Joseph Hettinger | Kleber F. Price |
| Frank C. Bruton | Dr. A. L. Hill | G. M. Pritchett |
| Hugh K. Bullitt | John R. Hobbs | W. P. Renfro |
| Mrs. Cecil Cantrill | G. W. Howard | L. D. Sandlin |
| Charles Chandler | Ira W. Hulette | Avery Sartin |
| J. A. Coleman | G. C. Johnson | Mrs. M. B. Scott |
| Carroll L. Cropper | T. M. Johnson | Lyle C. Tackett |
| G. Cunningham | F. P. Kessee | John W. Taylor |
| W. J. Curtis | Leo King | Elmore J. Thomas |
| Harry Davis | W. L. Knuckles, Jr. | Harry B. Thornton |
| S. S. Dickson | Glenn W. Lane | Starling B. Tracy |
| Garland Embry | M. T. McCarthy | J. B. Wicker |
| Rudy Ferguson | George R. McIntosh | |
| T. P. Fitzpatrick | Roy McWaters | —67 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Wm. B. Belknap | Ralph Gilbert | Jos. W. Schneider |
| D. B. Coughlin | Herschel McKinley | Henry T. Ward |
| Joel T. Crenshaw | J. S. Mattingly | Robert E. Webb |
| George Dunlap | Steve Pieratt | —11 |

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | L. J. Gammon | L. B. Meadors |
| Carroll D. Asbury | W. J. Garnett | G. Samuel Milam |
| Robert E. Beatty | Ferd A. Gnau | W. H. Miller |
| B. F. Bedford | C. Gottschalk | James B. Milliken |
| Jas. C. Bright | J. S. Hall | Tyler Munford |
| Corbett Brown | W. Yancey Handy | Richard H. Nufer |
| Frank C. Bruton | Judson Harmon | Robert A. Persky |
| Hugh K. Bullitt | Frank Harris | Kleber F. Price |
| Mrs. Cecil Cantrill | J. Joseph Hettinger | G. M. Pritchett |
| Charles Chandler | Dr. A. L. Hill | W. P. Renfro |
| J. A. Coleman | John R. Hobbs | L. D. Sandlin |
| Carroll L. Cropper | G. W. Howard | Avery Sartin |
| G. Cunningham | Ira W. Hulette | Mrs. M. B. Scott |
| W. J. Curtis | G. C. Johnson | Lafe J. Spencer |
| Harry Davis | T. M. Johnson | Lyle C. Tackett |
| S. S. Dickson | Leo King | John W. Taylor |
| Garland Embry | W. L. Knuckles, Jr. | Harry B. Thornton |
| Rudy Ferguson | Glenn W. Lane | Starling B. Tracy |
| T. P. Fitzpatrick | M. T. McCarthy | J. B. Wicker |
| J. B. Floyd | Roy McWaters | B. M. Williams |
| Kelly J. Francis | C. C. May | |

—62

Those who voted in the negative were—

| | | |
|---|---|---|
| Harold L. Barnes | Clarence E. Evans | H. H. Miller |
| Wm. B. Belknap | Ralph Gilbert | Steve Pieratt |
| D. B. Coughlin | John Kirtley | Jos. W. Schneider |
| Joel T. Crenshaw | Herschel McKinley | Henry T. Ward |
| George Dunlap | J. S. Mattingly | Robt. E. Webb |

—15

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

And that they had passed a bill which originated in this House, entitled:

H. B. 753. An Act to regulate the Department of Mines and Minerals of the Commonwealth of Kentucky, to provide for the appointment and employment of officers and employees, etc.

With an amendment thereto as proposed by the Senate.

(For bill see House Journal of March 10.)

Said amendment as proposed by the Senate is as follows, viz.:

Amend H. B. 753 in Senate by striking out the word "one" in line 82 of page 4 of the printed bill and inserting in lieu thereof the word "six."

Dr. Hill moved that said amendment be concurred in.

Said motion was agreed to.

Said amendment was then concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Robert E. Beatty | Corbett Brown |
| Carroll D. Asbury | B. F. Bedford | Hugh K. Bullitt |
| Levi Baker | O. J. Bowen | Mrs. Cecil Cantrill |
| Marshall Barnes | Jas. C. Bright | Charles Chandler |

| | | |
|---|---|---|
| J. A. Coleman | J. Joseph Hettinger | W. H. Miller |
| Joel T. Crenshaw | Dr. A. L. Hill | James B. Milliken |
| Carroll L. Cropper | John R. Hobbs | Tyler Munford |
| G. Cunningham | Ira W. Hulette | G. M. Pritchett |
| W. J. Curtis | G. C. Johnson | Pat Rankin |
| R. A. Demunbrun | Leo King | W. P. Renfro |
| Garland Embry | John Kirtley | Jos. W. Schneider |
| Ferd A. Gnau | W. L. Knuckles, Jr. | Mrs. M. B. Scott |
| C. Gottschalk | Roy McWaters | Elmore J. Thomas |
| J. S. Hall | C. C. May | B. M. Williams |
| Judson Harmon | G. Samuel Milam | |
| Frank Harris | Clarence Miller | —46 |

Those who voted in the negative were—

H. H. Miller Steve Pieratt —2

Dr. Hill moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the tale.

Said last named motion was agreed to.

And that they had passed a bill which originated in this House, entitled:

H. B. 555. An Act relating to the fiscal administration of counties; providing for a uniform budget system in each county, etc.

With an amendment thereto as proposed by the Senate.

(For bill see House Journal of March 12.)

Said amendment as proposed by the Senate, is as follows, viz.:

Amend H. B. 555 in Senate by striking out Section 13 of

the printed bill, and substituting therefor the following: "Section 13. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed."

Amend the title to H. B. 555 in Senate by striking out of the last line of the title of the printed bill the following: "Chapter 24 of the Acts of 1932 General Assembly." And substitute therefor the following: "All laws and parts of laws in conflict with the provisions of this Act."

Dr. Hill moved that said amendments be concurred in.

Said motion was agreed to.

Said amendments were then each concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Joel T. Crenshaw | G. C. Johnson |
| Carroll D. Asbury | Carroll L. Cropper | J. H. King |
| Levi Baker | G. Cunningham | Leo King |
| Harold L. Barnes | W. J. Curtis | John Kirtley |
| Robert E. Beatty | R. A. Demunbrun | W. L. Knuckles, Jr. |
| B. F. Bedford | S. S. Dickson | Herschel McKinley |
| Wm. B. Belknap | Garland Embry | C. C. McMasters |
| Reuben J. Boling | Clarence E. Evans | G. Samuel Milam |
| O. J. Bowen | Rudy Ferguson | H. H. Miller |
| Wallace Brown | J. B. Floyd | W. H. Miller |
| Frank C. Bruton | L. J. Gammon | Tyler Munford |
| Hugh K. Bullitt | W. J. Garnett | Rodes K. Myers |
| Mrs. Cecil Cantrill | J. Joseph Hettinger | Waylon Rayburn |
| J. A. Coleman | Dr. A. L. Hill | W. P. Renfro |
| D. B. Coughlin | Ira W. Hulette | Mrs. M. B. Scott |

Elmore J. Thomas Henry T. Ward Robert E. Webb —48

Dr. Hill moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

Mr. Chandler moved that the privilege of the floor be extended to Mr. C. C. Williams of Mt. Vernon, Kentucky.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills and resolutions which originated in this House, entitled:

H. B. 829. An Act to provide for the licensing of road, highway and bridge contractors by the State Highway Commission; etc.

H. B. 260. An Act to repeal, amend and re-enact Chapter 145 of the Acts of the General Assembly of 1932, redistricting the State of Kentucky into nine Congressional Districts, etc.

H. Res. 70. Resolution for help for enrolling Clerks for Senate and House.

H. Res. 77. Resolution declaring the name of the bridge across the Ohio River in Henderson County to be the "Memorial Bridge."

H. Res. 17. Resolution providing for the appointment of

a temporary State Liquor Control Commission, ratifying appointment of said Commission, etc.

H. Res. 57. Resolution for the benefit of Jodie Oliver, Howard Black and Browning Green, employees of State Capitol.

Ordered that said bills and resolutions be delivered to the Enrolling Clerk of this House.

And that they had passed a resolution which originated in this House entitled:

H. Res. 79. Resolution for appointment of Committee to study and draft income tax measure.

With an amendment thereto by way of Substitute therefor, as proposed by the Senate.

Ordered that said resolution and Substitute therefor as proposed by the Senate be referred to Committee on Rules.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 217. An Act repealing and re-enacting Section 2739g-62, Carroll's Kentucky Statutes, 1930 Edition, fixing the duties of the County Court Clerks in all counties of the Commonwealth, relating to the registration of motor vehicles and reporting money collected for automobile licenses under Chapter 88b, Carroll's Kentucky Statutes, 1930 Edition; fixing the time for the issuing of such license; and providing penalties for violation of the Act.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. That Section 2739g-62, Carroll's Kentucky Statutes, 1930 Edition, be and the same hereby is repealed and reenacted to read as follows:

(a) It shall be the duty of the clerk in each county to see that the provisions of this Act in his county are enforced, and in so doing he shall:

(b) Take all applications as provided in this Act.

(c) Issue the receipts provided for in this Act on blanks furnished by the commission.

(d) Collect the fees due the State as provided for in this Act.

(e) Distribute the registration plates and badges furnished by the commission and keep a complete record in his office for the benefit of the public of all such registrations in his county.

(f) Report and remit each Monday to the commission all moneys collected during the previous week, together with the duplicates of all receipts issued by him during the same period, and make all checks payable to the state treasurer. Upon the failure of any clerk to so report and remit as herein provided for more than seven (7) days after the same is due, he shall be required to pay a penalty of ten per cent (10%) on the amount of money due in addition thereto. All penalties due and collected under this provision shall be paid into the State treasury as a part of the revenue collected under the provisions of this law.

(g) Account to the commission for all registration plates, badges and receipt forms consigned to him, at such time or times as the commission may direct; give the commission timely notice of a probable deficiency of plates or other supplies.

(h) The clerk shall begin the issuing of licenses on the first day of December of each year, and during the month of January of each year in counties containing cities of the first class, shall keep said office open for sixteen hours each day between the hours of six a. m., and twelve midnight for the

purpose of supplying or selling license tags, Sundays and holidays excluded, and in counties having cities of the second or third class classes, shall keep said office open for ten hours each day, Sundays and holidays excluded.

§ 2. The provisions of this act shall become effective on the first day of January, 1935.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | S. S. Dickson | John Kirtley |
| Levi Baker | George Dunlap | Glenn W. Lane |
| Harold L. Barnes | Clarence E. Evans | Alden L. Love |
| Robert E. Beatty | Rudy Ferguson | M. T. McCarthy |
| B. F. Bedford | J. B. Floyd | George R. McIntosh |
| Reuben J. Boling | L. J. Gammon | C. C. McMasters |
| Jas. C. Bright | Ferd A. Gnau | Roy McWaters |
| Corbett Brown | C. Gottschalk | C. C. May |
| Wallace Brown | J. S. Hall | L. B. Meadors |
| Frank C. Bruton | W. Yancey Handy | G. Samuel Milam |
| Mrs. Cecil Cantrill | Judson Harmon | Clarence Miller |
| Charles Chandler | Dr. A. L. Hill | H. H. Miller |
| J. A. Coleman | John R. Hobbs | W. H. Miller |
| Joel T. Crenshaw | Ira W. Hulette | James B. Milliken |
| Carroll L. Cropper | G. C. Johnson | Rodes K. Myers |
| G. Cunningham | T. M. Johnson | Robert A. Persky |
| W. J. Curtis | F. P. Kessee | Steve Pieratt |
| Harry Davis | J. H. King | Kleber F. Price |
| R. A. Demunbrun | Leo King | Waylon Rayburn |

| | | |
|---|---|---|
| W. P. Renfro | Harry B. Thornton | Henry T. Ward |
| Mrs. M. B. Scott | J. Sterling Towles | |
| Harry Sparks | Starling B. Tracy | —64 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Carroll D. Asbury | D. B. Coughlin | Herschel McKinley |
| O. J. Bowen | Garland Embry | J. S. Mattingly |
| Hugh K. Bullitt | W. L. Knuckles, Jr. | Jos. W. Schneider |

—9

Resolved that the title thereof be as aforesaid.

Mr. Ferguson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 366. An Act to abolish the Department of Library and Archives created by Article 20 of the Administrative Reorganization Act; providing that the Kentucky Library Commission be transferred to the Department of Public Property and be a division thereof; creating the offices of Librarian and Law Librarian; fixing their salaries and providing for their appointment; making the Judges of the Court of Appeals Trustees of the Law Library; repealing Article 20 of the Administrative Reorganization Act, being House Bill 428 and Sections 2439 and 2447, Carroll's 1933 Supplement to Kentucky Statutes, and repealing all other laws and parts of laws in conflict with this Act.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. The Department of Library and Archives created by Article 20, Section 1, of the Administrative Reorganization Act is hereby abolished.

§ 2. The Kentucky Library Commission and so much of the Library of the Commonwealth as is not embraced in the Law Library are hereby transferred to the Department of Public Property and attached thereto and made a division thereof, and shall continue to exercise all of the functions, powers and duties vested in them by law. On the 30th day of June, 1936, and every four years thereafter the Governor shall appoint a Librarian to serve during the will and pleasure of the Governor, who shall receive an annual salary of not exceeding Twenty-four Hundred ($2,400.00) Dollars, payable monthly out of the State Terasury. The Librarian so appointed shall succeed to and be vested with all of the powers, duties and functions imposed by law upon the present Librarian and the Secretary to the Kentucky Library Commission, except those duties vested by this Act in the Law Librarian.

§ 3. There is hereby created the office of Law Librarian, who shall be appointed by the Court of Appeals on the 30th day of June, 1936, and every four years thereafter. The Law Librarian shall receive an annual salary of Twenty-four Hundred ($2,400.00) Dollars, payable monthly out of the State Treasury. The Law Librarian shall succeed to and be vested with all the powers, duties and functions imposed by law upon the present Librarian, except those duties pertaining to so much of the State Library as is by Section 2 of this Act transferred to the Department of Public Property.

§ 4. The Judges of the Court of Appeals of Kentucky and the Attorney General shall be Trustees of the Law Library. They shall see that the Law Librarian properly discharges the duties of his office.

§ 5. Article 20 of the Administrative Reorganization Act, being House Bill 428, creating the Department of Library and Archives, Sections 2439 and 2447, Carroll's 1933 Supplement to the Kentucky Statutes, are hereby repealed, and all

other laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | S. S. Dickson | L. B. Meadors |
| Carroll D. Asbury | George Dunlap | G. Samuel Milam |
| Levi Baker | Clarence E. Evans | W. H. Miller |
| Harold L. Barnes | Rudy Ferguson | Rodes K. Myers |
| Robert E. Beatty | W. J. Garnett | Richard H. Nufer |
| Reuben J. Boling | Ralph Gilbert | Robert A. Persky |
| O. J. Bowen | Ferd A. Gnau | Steve Pieratt |
| Jas. C. Bright | C. Gottschalk | Kleber F. Price |
| Corbett Brown | Judson Harmon | G. M. Pritchett |
| Wallace Brown | R. M. Harrison, Jr. | Avery Sartin |
| Frank C. Bruton | J. Joseph Hettinger | Mrs. M. B. Scott |
| Hugh K. Bullitt | Dr. A. L. Hill | Harry Sparks |
| Mrs. Cecil Cantrill | John R. Hobbs | Elmore J. Thomas |
| Charles Chandler | Ira W. Hulette | Harry B. Thornton |
| J. A. Coleman | G. C. Johnson | J. Sterling Towles |
| D. B. Coughlin | W. L. Knuckles, Jr. | Starling B. Tracy |
| Joel T. Crenshaw | Alden L. Love | Henry T. Ward |
| Carroll L. Cropper | M. T. McCarthy | Robert E. Webb |
| W. J. Curtis | C. C. McMasters | |
| Harry Davis | Roy McWaters | |
| R. A. Demunbrun | C. C. May | —60 |

Those who voted in the affirmative were—

G. Cunningham J. S. Mattingly Jos. W. Schneider
Herschel McKinley Pat Rankin —5

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the hour of six o'clock, Dr. Hill moved that the House do now recess until the hour of seven-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

## NIGHT SESSION.

The hour of seven-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

The House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 56. Resolution for the benefit of the ministers of the churches of Frankfort, Kentucky.

Said resolution is as follows, viz.:

### Joint Resolution

Joint Resolution for the benefit of the Ministers of the Churches of Frankfort, Kentucky.

*Be it Resolved by the General Assembly of the Commonwealth of Kentucky:*

That the sum of fifty dollars ($50.00) to each of the following named ministers herein, is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, viz.:

Rev. Ross Dillon, Rev. Alexander Warren, Rev. Father O'Dwyer, Rev. J. G. Stone, Rev. Olaff Anderson, Rev. E. W. Baxter, Rev. Hampton Adams, Rev. W. G. Thompson.

And the Auditor of Public Accounts will draw his warrant upon the State Treasurer, to each of the foregoing named persons for the sum of fifty dollars ($50.00).

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Harry Davis | T. M. Johnson |
| Carroll D. Asbury | R. A. Demunbrun | F. P. Kessee |
| Robert E. Beatty | S. S. Dickson | J. H. King |
| Reuben J. Boling | Garland Embry | Leo King |
| O. J. Bowen | Rudy Ferguson | John Kirtley |
| Jas. C. Bright | L. J. Gammon | Glenn W. Lane |
| Corbett Brown | Ferd A. Gnau | Roy McWaters |
| Wallace Brown | W. Yancey Handy | C. C. May |
| Frank C. Bruton | Judson Harmon | L. B. Meadors |
| Hugh K. Bullitt | R. M. Harrison, Jr. | G. Samuel Milam |
| Mrs. Cecil Cantrill | J. Joseph Hettinger | Clarence Miller |
| J. A. Coleman | Dr. A. L. Hill | W. H. Miller |
| Sidney J. Collins | John R. Hobbs | Tyler Munford |
| Carroll L. Cropper | G. W. Howard | Rodes K. Myers |
| G. Cunningham | G. C. Johnson | M. D. Phelps |

| | | |
|---|---|---|
| Waylon Rayburn | Harry Sparks | John W. Taylor |
| L. D. Sandlin | Lafe J. Spencer | B. M. Williams |
| Mrs. M. B. Scott | Lyle C. Tackett | —53 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Harold L. Barnes | Herschel McKinley | Pat Rankin |
| Wm. B. Belknap | C. C. McMasters | W. P. Renfro |
| Kelly J. Francis | J. S. Mattingly | Jos. W. Schneider |
| W. J. Garnett | Steve Pieratt | Henry T. Ward |
| Ralph Gilbert | Kleber F. Price | Robert E. Webb |
| Alden L. Love | G. M. Pritchett | —17 |

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration a bill entitled:

H. B. 144. An Act ot authorize the State Libarian to furnish the University of Kentucky certain duplicate documents and books, etc.

With an amendment thereto as proposed by the Senate.

Which was reported to this House from the Senate on March 10.

(For bill see House Journal of January 31.)

Said amendment as proposed by the Senate is as follows, viz.:

Amend H. B. 144 to include two (2) colored Teachers' Colleges.

Mrs. Cantrill moved that said amendment be concurred in.

Said motion was agreed to.

Said amendment was then concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | George Dunlap | Alden L. Love |
| Carroll D. Asbury | Garland Embry | M. T. McCarthy |
| Levi Baker | J. B. Floyd | George R. McIntosh |
| Robert E. Beatty | Kelly J. Francis | Herschel McKinley |
| B. F. Bedford | L. J. Gammon | C. C. McMasters |
| Wm. B. Belknap | W. J. Garnett | Roy McWaters |
| Reuben J. Boling | Ralph Gilbert | C. C. May |
| O. J. Bowen | Ferd A. Gnau | J. S. Mattingly |
| Jas. C. Bright | C. Gottschalk | L. B. Meadors |
| Corbett Brown | W. Yancey Handy | G. Samuel Milam |
| Wallace Brown | Judson Harmon | H. H. Miller |
| Frank C. Bruton | Frank Harris | W. H. Miller |
| Hugh K. Bullitt | R. M. Harrison, Jr. | James B. Milliken |
| Mrs. Cecil Cantrill | J. Joseph Hettinger | Tyler Munford |
| Charles Chandler | Dr. A. L. Hill | Richard H. Nufer |
| J. A. Coleman | John R. Hobbs | Robert A. Persky |
| Sidney J. Collins | G. W. Howard | M. D. Phelps |
| D. B. Coughlin | G. C. Johnson | Steve Pieratt |
| Joel T. Crenshaw | T. M. Johnson | Kleber F. Price |
| Carroll L. Cropper | F. P. Kessee | G. M. Pritchett |
| G. Cunningham | J. H. King | Waylon Rayburn |
| W. J. Curtis | Leo King | W. P. Renfro |
| Harry Davis | John Kirtley | Avery Sartin |
| S. S. Dickson | Glenn W. Lane | Mrs. M. B. Scott |

| | | |
|---|---|---|
| Lafe J. Spencer | Harry B. Thornton | J. B. Wicker |
| Elmore J. Thomas | Robert E. Webb | B. M. Williams |

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Those who voted in the negative were—

| | | |
|---|---|---|
| R. A. Demunbrun | J. S. Hall | Pat Rankin |
| Clarence E. Evans | Ira W. Hulette | Jos. W. Schneider |
| Rudy Ferguson | W. L. Knuckles, Jr. | Lyle C. Tackett |
| T. P. Fitzpatrick | Clarence Miller | John W. Taylor |

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Mrs. Cantrill moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, the House took up for consideration a resolution, entitled:

H. Res. 79. Resolution requesting the Governor to appoint a Committee to study and draft an income tax measure.

With an amendment thereto by way of Substitute therefor, as proposed by the Senate.

Which was reported to this House from the Senate on to-day.

(For resolution see House Journal of March 13.)

Said Substitute as proposed by the Senate, is as follows, viz.:

Amend concurrent (House) Resolution No. 79 by strik-

ing out all words and phrases thereof, beginning with the word "whereas" on line 28 and including the word "measure" in line 43 thereof, and substituting the following language for that portion of the resolution so stricken:

WHEREAS, the gathering and investigation of facts relating to an income tax and other sources of revenue, and the drafting of the necessary revenue raising bills is a most intricate and difficult undertaking, requiring a great amount of time for careful investigation and consideration; and,

Whereas, it is deemed to be most advisable that a commission composed of members of this General Assembly be appointed and authorized to make the necessary investigation regarding the various revenue raising methods, adopted by other States, and also to make a careful study and survey of the financial needs of every department, board, commission and agency of the State government, for the purpose of ascertaining the amount of money actually required to properly conduct the affairs of each such governmental agency upon a strictly business basis: *Now, Therefore,*

*Be it Resolved by the General Assembly of the Commonwealth of Kentucky:* That

1. A commission of nine members of this Legislature be selected, six to be chosen from the House of Representatives and three from the Senate as follows:

Hon. G. Samuel Milam, Chairman of Appropriations Committee Number One of the House of Representatives, shall be one member of said Commission, and he is hereby authorized to select two additional members from said House Appropriations Committee Number One.

The Hon. W. J. Garnett, Chairman of Appropriations Committee Number Two of the House of Representatives, shall be another member of said commission, and he is hereby authorized to select two additional members from said House Appropriations Committee Number Two.

The Honorable Frank Lebus, chairman of the Appropria-

tions Committee of the Senate, shall be a member of said commission and he is hereby authorized to select two additional members of said commission from said Appropriations Committee of the Senate.

2. *Be it Further Resolved:* That it shall be the duty of said Commission hereby created to meet in the City of Frankfort, Kentucky, immediately upon the adjournment of this ssesion of the General Assembly for the purpose of authorizing that thereafter during the time intervening between the adjournment of the present session of the Legislature and the convening of the Extra session thereof said commission shall hold such additional meetings and at the same times and places in Kentucky as may be necessary for the purpose of carrying out the provisions of this resolution.

3. *Be it Further Resolved:* That said Commission may call to its assistance for counsel and advice any income and other tax experts which it may deem necessary and may accumulate and make available for the use of the members of this General Assembly all data and information in regard to all forms of revenue raising methods and it may advise with and secure the opinions of citizens of the Commonwealth favoring or opposing all forms of taxation and report to the General Assembly a concise statement of all information so gathered.

4. *Be it Further Resolved:* That this Commission be authorized and that it be and is hereby empowered to bring before it all heads of departments and other persons familiar with the needs of the various departments and agencies of the State for the purpose of ascertaining the amount of appropriations actually necessary to conduct all such agencies upon a strictly business basis, and report its findings to the General Assembly at its next session.

5. *Be it Further Resolved:* That the chairman of Revenue and Taxation Number One in the House of Representatives appoint three members of the House and the chairman of Revenue and Taxation in the Senate appoint two members

of the Senate to serve on said Commission, in addition to those appointed in section one of this resolution, making a total of fourteen on said commission.

6. *Be it Further Resolved:* That the chairman of the said Commission shall appoint a sub-committee consisting of five members to study, discuss and draft an income tax measure that, in their opinion is best suited to the needs of Kentucky.

Mr. Garnett moved that said Substitute be concurred in.

Said motion was agreed to.

Said Substitute was then concurred in.

Said resolution was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | J. B. Floyd | W. L. Knuckles, Jr. |
| Harold L. Barnes | L. J. Gammon | M. T. McCarthy |
| Robert E. Beatty | W. J. Garnett | Herschel McKinley |
| B. F. Bedford | Ferd A. Gnau | C. C. McMasters |
| Wm. B. Belknap | C. Gottschalk | G. Samuel Milam |
| Reuben J. Boling | W. Yancey Handy | W. H. Miller |
| O. J. Bowen | R. M. Harrison, Jr. | Tyler Munford |
| Corbett Brown | J. Joseph Hettinger | Rodes K. Myers |
| Mrs. Cecil Cantrill | Dr. A. L. Hill | Richard H. Nufer |
| J. A. Coleman | John R. Hobbs | Steve Pieratt |
| Joel T. Crenshaw | G. W. Howard | Kleber F. Price |
| Carroll L. Cropper | Ira W. Hulette | Waylon Rayburn |
| G. Cunningham | T. M. Johnson | W. P. Renfro |
| W. J. Curtis | J. H. King | Avery Sartin |
| Harry Davis | Leo King | Mrs. M. B. Scott |
| T. P. Fitzpatrick | John Kirtley | Lyle C. Tackett |

Elmore J. Thomas Robt. E. Webb B. M. Williams
J. Sterling Towles J. B. Wicker —53

Those who voted in the negative were—

Hugh K. Bullitt Garland Embry J. S. Mattingly
D. B. Coughlin —4

Mr. Garnett moved that the vote by which said resolution was adopted, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said resolution be delivered to the Enrolling Clerk of this House.

The House took up for consideration a resolution which originated in the Senate, entitled:

S. Res. 33. Resolution to Hon. Henry A. Wallace, Secretary of Agriculture, Washington, D. C.

Said resolution is as follows, viz.:

WHEREAS, it has been called to my attention that the Kentucky Game and Fish Commission has requested that the Secretary of Agriculture, under the powers granted him by the President of the United States, purchase sub-marginal lands in Ballard, Livingston, Carlisle, and McCracken counties, for the purpose of establishing a game refuge for migratory birds on their flights to and from the South; and,

Whereas, there is considerable acreage of these sub-marginal lands in the aforesaid counties, and whereas, we feel that it would be beneficial, not only for the protection of migratory birds, but would be beneficial to the citizens of aforesaid counties that this refuge be established, and whereas, we feel that it would meet with the approval of the citizens

of aforesaid counties, and would be of material benefit to land owners of said marginal tracts, for the establishment of said haven and refuge for said migratory birds: *Now, Therefore, Be it Resolved,* the Senate and House of Representatives concurring therein, that a copy of these resolutions be sent to the Hon. Henry A. Wallace, Secretary of Agriculture of the United States of America, petitioning him to purchase and establish said refuge for the purpose set out in this resolution.

Said resolution was then concurred in.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 336. An Act appropriating $5,000.00 out of the general fund for the purpose of erecting a statute of Jefferson Davis, to be located upon completion in the rotunda of the Capitol building at Frankfort, Kentucky; providing that the additional funds may be donated by any person or organization for the purpose of supplementing the sum appropriated; creaing a commission for the purpose of carrying out the provisions of this Act; repealing all laws in conflict.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. There is hereby appropriated out of the general fund the sum of $5,000.00, to be used for the erection of a statue of Jefferson Davis, President of the Confederacy, bids for which are hereby authorized.

Said statue is to be made of marble, or some other suitable stone, the same size and proportion as that of Abraham Lincoln, now standing in the rotunda of the Capitol building.

Said statue of Jefferson Davis is to be located in the

rotunda of the Capitol building at Frankfort, Kentucky, beside said statue of Abraham Lincoln.

§ 2. To carry out the purposes of this act there is hereby created the following commission to be composed of five (5) members, to be appointed by the Governor to-wit: Two members from a list submitted by the United Daughters of the Confederacy; two members from a list to be submitted by the Sons of the Confederacy; one member appointed from the State-at-large.

§ 3. Nothing in this Act is to be construed to prevent any person or organization from supplementing or adding to the sum herein appropriated by a like amount or some other sum.

§ 4. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Corbett Brown | Garland Embry |
| Carroll D. Asbury | Hugh K. Bullitt | Rudy Ferguson |
| Levi Baker | Mrs. Cecil Cantrill | T. P. Fitzpatrick |
| Harold L. Barnes | J. A. Coleman | J. B. Floyd |
| Robert E. Beatty | Sidney J. Collins | W. J. Garnett |
| B. F. Bedford | Joel T. Crenshaw | Ralph Gilbert |
| Wm. B. Belknap | Carroll L. Cropper | Ferd A. Gnau |
| Reuben J. Boling | G. Cunningham | J. S. Hall |
| O. J. Bowen | W. J. Curtis | W. Yancey Handy |
| Jas. C. Bright | S. S. Dickson | Frank Harris |

| | | |
|---|---|---|
| R. M. Harrison, Jr. | Glenn W. Lane | Richard H. Nufer |
| J. Joseph Hettinger | Alden L. Love | M. D. Phelps |
| Dr. A. L. Hill | M. T. McCarthy | Waylon Rayburn |
| John R. Hobbs | Roy McWaters | W. P. Renfro |
| G. W. Howard | C. C. May | L. D. Sandlin |
| Ira W. Hulette | L. B. Meadors | Mrs. M. B. Scott |
| G. C. Johnson | James B. Milliken | Lyle C. Tackett |
| T. M. Johnson | Tyler Munford | John W. Taylor |
| F. P. Kessee | Rodes K. Myers | J. B. Wicker |

—57

Those who voted in the negative were—

| | | |
|---|---|---|
| Marshall Barnes | J. H. King | James I. Peters |
| Wallace Brown | John Kirtley | Steve Pieratt |
| Charles Chandler | W. L. Knuckles, Jr. | Kleber F. Price |
| D. B. Coughlin | George R. McIntosh | Avery Sartin |
| R. A. Demunbrun | Herschel McKinley | Jos. W. Schneider |
| George Dunlap | C. C. McMasters | Elmore J. Thomas |
| Kelly J. Francis | J. S. Mattingly | Harry B. Thornton |
| L. J. Gammon | Clarence Miller | J. Sterling Towles |
| C. Gottschalk | W. H. Miller | Henry T. Ward |
| Judson Harmon | Robert A. Persky | |

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Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 152. An Act to prevent the destruction or marring of trees, shrubs and other flora growing or being on the rights of way of State or county maintained roads.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

If any person shall pick, pull, pull up, tear up, dig up, cut, break, injure, burn, or destroy any tree, shrub, wild flower or other flower, vine, bush, or turf growing or being on the right of way of any State highway or county road or upon any land reserved, set aside, dedicated or maintained by this Commonwealth as a public park or as a refuse or sanctuary for wild animals, birds or fish, or shall deposit, throw or leave any trash, debris, or litter of any kind upon any such public highway or public lands, without having first obtained the permission in writing of the engineer having charge of the maintenance of such State or county highway or the superintendent or custodian of such park, refuge or sanctuary, he shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than ..... dollars nor more than ..... dollars in the discretion of the jury or court trying him.

Mr. Milam offered the following amendment thereto, viz.:

Amend S. B. 152 by striking from line 9 of the printed bill, page 1, the following words: "in writing."

Said amendment was disagreed to.

Mr. McCarthy moved that said bill be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. McCarthy and Milam were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | Corbett Brown | Charles Chandler |
| Reuben J. Boling | Frank C. Bruton | J. A. Coleman |

| | | |
|---|---|---|
| Harry Davis | F. P. Kessee | L. B. Meadors |
| R. A. Demunbrun | J. H. King | W. H. Miller |
| Garland Embry | Leo King | Rodes K. Myers |
| Rudy Ferguson | John Kirtley | Robert A. Persky |
| L. J. Gammon | W. L. Knuckles, Jr. | Steve Pieratt |
| Ferd A. Gnau | M. T. McCarthy | Kleber F. Price |
| J. S. Hall | George R. McIntosh | J. Sterling Towles |
| Ira W. Hulette | Herschel McKinley | Robert E. Webb |
| G. C. Johnson | C. C. McMasters | J. B. Wicker |

—33

Those who voted in the negative were—

| | | |
|---|---|---|
| Levi Baker | George Dunlap | Pat Rankin |
| Harold L. Barnes | Clarence E. Evans | W. P. Renfro |
| Robert E. Beatty | Ralph Gilbert | L. D. Sandlin |
| B. F. Bedford | C. Gottschalk | Jos. W. Schneider |
| Wm. B. Belknap | W. Yancey Handy | Mrs. M. B. Scott |
| O. J. Bowen | Dr. A. L. Hill | Harry Sparks |
| Jas. C. Bright | John R. Hobbs | Lafe J. Spencer |
| Wallace Brown | G. W. Howard | Lyle C. Tackett |
| Hugh K. Bullitt | T. M. Johnson | Elmore J. Thomas |
| D. B. Coughlin | Glenn W. Lane | Harry B. Thornton |
| Joel T. Crenshaw | J. S. Mattingly | Starling B. Tracy |
| Carroll L. Cropper | James B. Milliken | Henry T. Ward |
| W. J. Curtis | Tyler Munford | |
| S. S. Dickson | G. M. Pritchett | |

—40

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Carroll D. Asbury | Harold L. Barnes | Marshall Barnes |

| | | |
|---|---|---|
| B. F. Bedford | George Dunlap | James B. Milliken |
| Wm. B. Belknap | Clarence E. Evans | Tyler Munford |
| Robert E. Beatty | W. J. Garnett | Kleber F. Price |
| O. J. Bowen | W. Yancey Handy | G. M. Pritchett |
| Wallace Brown | Judson Harmon | Pat Rankin |
| Hugh K. Bullitt | Dr. A. L. Hill | W. P. Renfro |
| Mrs. Cecil Cantrill | John R. Hobbs | L. D. Sandlin |
| D. B. Coughlin | G. W. Howard | Jos. W. Schneider |
| Joel T. Crenshaw | Glenn W. Lane | Lafe J. Spencer |
| Carroll L. Cropper | Roy McWaters | Lyle C. Tackett |
| G. Cunningham | C. C. May | Starling B. Tracy |
| W. J. Curtis | J. S. Mattingly | Henry T. Ward |
| S. S. Dickson | L. B. Meadors | —41 |

Those who voted in the negative were—

| | | |
|---|---|---|
| Henry H. Allen | Ralph Gilbert | Steve Pieratt |
| Levi Baker | Ira W. Hulette | Waylon Rayburn |
| Reuben J. Boling | G. C. Johnson | Avery Sartin |
| Jas. C. Bright | T. M. Johnson | Mrs. M. B. Scott |
| Corbett Brown | F. P. Kessee | John W. Taylor |
| Frank C. Bruton | John Kirtley | Harry B. Thornton |
| Charles Chandler | W. L. Knuckles, Jr. | J. Sterling Towles |
| J. A. Coleman | M. T. McCarthy | Robert E. Webb |
| Harry Davis | C. C. McMasters | J. B. Wicker |
| R. A. Demunbrun | G. Samuel Milam | B. M. Williams |
| Garland Embry | W. H. Miller | |
| J. B. Floyd | Robert A. Persky | —34 |

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 131. An Act to repeal Section One Thousand Seventy-seven b-One of the Kentucky Statutes, Carroll's Edition, One Thousand Nine Hundred and Thirty, relating to the appointment of Trial Commissioners, and authorizing the County Judge, in counties containing a city of the first class, to appoint two (2) Trial Commissioners, describing his qualifications, and term of office, and his method of selection.

Said bill is as follows, viz.:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

That Section One Thousand Seventy-seven b-One of the Kentucky Statutes, Carroll's Edition, One Thousand Nine Hundred and Thirty, be and the same is hereby repealed.

And,

*Be it Further enacted by the General Assembly of the Commonwealth of Kentucky:*

§ 1. The Judge of the County Court, in each county in this Commonwealth wherein is located a city of the first class, is hereby authorized to appoint two (2) Trial Commissioners, who shall hold office at the pleasure of the Judge, and who shall discharge such duties as may be assigned to him by the Judge; said trial commissioners shall in the absence of the county judge act as county judge *pro tem.* and they are hereby empowered so to act without receiving additional compensation.

Each Commissioner so appointed must have the qualifications prescribed by law of a Judge of the County Court. Each Commissioner shall receive a salary to be fixed by the Fiscal Court of the County not exceeding Three Thousand Dollars ($3,000.00) per annum, and shall be paid the same way as the County Judge is paid. When the business of the Court does not require their services, the judge may terminate the appointment of any or both of the Commissioners.

The Commissioners shall report their actions to the Judge for the approval or disapproval of the Judge.

§ 2. Owing to the large amount of cases now pending before the Judge of the County Court of a city of the first class, an emergency is hereby declared to exist, and this Act shall take effect and be in force upon and after the passage and approval by the Governor.

§ 3. All acts and parts of acts in conflict with this act are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

| | | |
|---|---|---|
| Henry H. Allen | W. J. Curtis | Ira W. Hulette |
| Carroll D. Asbury | Harry Davis | G. C. Johnson |
| Harold L. Barnes | R. A. Demunbrun | J. H. King |
| Robert E. Beatty | S. S. Dickson | Leo King |
| B. F. Bedford | George Dunlap | John Kirtley |
| O. J. Bowen | Garland Embry | Glenn W. Lane |
| Corbett Brown | Clarence E. Evans | M. T. McCarthy |
| Wallace Brown | Ferd A. Gnau | George R. McIntosh |
| Frank C. Bruton | C. Gottschalk | C. C. McMasters |
| Hugh K. Bullitt | J. S. Hall | C. C. May |
| Mrs. Cecil Cantrill | W. Yancey Handy | J. S. Mattingly |
| J. A. Coleman | Judson Harmon | L. B. Meadors |
| D. B. Coughlin | Frank Harris | Clarence Miller |
| Joel T. Crenshaw | J. Joseph Hettinger | H. H. Miller |
| Carroll L. Cropper | Dr. A. L. Hill | W. H. Miller |
| G. Cunningham | John R. Hobbs | James B. Milliken |

| | | |
|---|---|---|
| Tyler Munford | Kleber F. Price | Avery Sartin |
| Richard H. Nufer | Waylon Rayburn | Mrs. M. B. Scott |
| Robert A. Persky | W. P. Renfro | Elmore J. Thomas |
| Steve Pieratt | L. D. Sandlin | Robert E. Webb |

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There voted in the negative—

Harry B. Thornton —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Rayburn offered the following resolution, viz.:

WHEREAS, the bills and all miscellaneous printing for this House has been so efficiently taken care of by the foreman, Mr. George H. Mays, of the State Journal Company, contractors, and has been so promptly delivered by Mr. John M. Meloan, Superintendent of Public Printing, who has kept a careful and complete record of the Day, Hour and Minute of each and every bill in due course, and who has not failed in a single instance to place upon the desk of each member all bills before needed, nor has any bill been lost or misplaced; and,

Whereas, their work in carrying on this important phase of our legislative deliberations indicates that they are not only men of experience, but that they have been constantly attentive to our needs in this line: *Therefore,*

*Be it Resolved,* That this House desires to go on record as commending their work, and to express its appreciation for their extraordinary work.

Said resolution was adopted.

A message was received from the Senate announcing that they had passed bills and resolutions which originated in this House, entitled:

H. Res. 72. Resolution providing for the payment of money to Alpha Nelson, etc., for jury services rendered in Floyd Circuit Court.

H. Res. 53. Resolution authorizing Mrs. Lane Taulbee Holliday to sue the Commonwealth of Kentucky.

H. Res. 36. Resolution authorizing the State Highway Commission of Kentucky to pay Russell county the sum of $2,933.75.

H. B. 556. An Act to repeal paragraph 20, of Chapter 106, of the Acts of 1932, being an act to further regulate motor trucks, etc.

H. B. 826. An Act providing that funds realized from certain taxes and other revenue sources shall be credited to the General Fund for the expenses of government.

H. B. 452. An Act amnding and re-enacting Sections 14 and 16 of Chapter 19 of the Acts of 1916, relating to Insurance Agents.

H. B. 165. An Act providing for verdicts of juries in civil cases in inferior courts.

H. B. 317. An Act providing for the adoption and promulgation by the Court of Appeals of Kentucky of rules and regulations defining the practice of law, etc.

H. B. 671. An Act to amend and re-enact Section 1893d-5, Supplement to Kentucky Statutes, 1930 Edition, relating to non-resident fishing licenses.

H. B. 297. An Act to repeal, amend and re-enact Section 1893d-9 of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, relating to game fish and limiting the number and size of fish which may be taken.

H. B. 838. An Act to repeal, amend and re-enact Section 1938a-5 of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, relating to the protection of rabbits.

H. B. 514. An Act providing educational opportunities for the orphans of soldiers, sailors and marines who were killed or died during the World War, etc.

H. B. 432. An Act to repeal, amend and re-enact Section 1905-2 of Baldwin's Statutes, Carroll's 1930 Edition, relating to the license fees for the catching of mussels.

H. B. 602. An Act making it a felony for any person or persons to dynamite fish in any stream, lake or pond, etc.

H. Res. 64. Resolution of the House of Representatives and the Senate of Kentucky providing for the appointment of a committee to investigate the desirability of securing the birth place of Ollie James, etc.

H. B. 388. An Act to regulate and prohibit the sale and possession of marihuana, sometimes called "loco weed."

H. B. 774. An Act to repeal Section 97 of the Carroll's Kentucky Statutes which is part of the Acts of the General Assembly of 1892.

H. B. 547. An Act to amend and re-enact Section 4036 Kentucky Statutes, Carroll's Kentucky Statutes, 1930 Edition, relating to the lien of a purchaser at an invalid tax sale, etc.

H. B. 537. An Act governing the investment of fund of estates by guardians and committees.

H. B. 538. An Act requiring executors, administrators, curators, trustees, guardians and committees to publish notice of the date of filing of settlements, etc.

H. Res. 69. Resolution providing for furnishing Kentucky Directories.

H. Res. 68. Resolution authorizing William Cox to sue the Commonwealth of Kentucky and the State Highway Commission, or either.

H. Res. 11. Resolution empowering the Governor to associate with him some person learned in the history of Kentucky, etc.

H. Res. 25. Resolution authorizing Ernest Miles and Mayme Miles to file suit against the Commonwealth of Kentucky.

H. Res. 35. Resolution authorizing E. G. Barrass to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky.

H. B. 834. An Act granting to cities or towns within the Commonwealth of Kentucky the right to lay and maintain within the right-of-way of any public road or highway in the Commonwealth of Kentucky pipes or conduits for the purpose of supplying water, etc.

H. B. 654. An Act to amend and re-enact Section 3766d-2, Kentucky Statutes, 1930 Edition, pertaining to Kentucky State Parks.

H. Res. 42. Resolution authorizing the Irvine Construction Company to sue the Commonwealth of Kentucky.

H. Res. 65. Resolution authorizing E. E. Tartor of Hickman County to sue the Commonwealth of Kentucky, etc.

H. B. 875. An Act providing that the Commissioner of Agriculture, Labor and Statistics and the Kentucky State Board of Agriculture, shall have exclusive supervision and control over the Kentucky State Fair, etc.

H. B. 394. An Act to create a committee of four, one to be appointed by Speaker of the House, one to be appointed by the Lieutenant Governor, etc.

H. Res. 43. Resolution authorizing Charles Grow to sue the Commonwealth of Kentucky.

H. Res. 52. Resolution for the benefit of the City of Stanford.

H. Res. 24. Resolution authorizing F. Daniel to sue the Commonwealth of Kentucky.

H. B. 781. An Act providing for rules and regulations for the operation of nudist colonies in this Commonwealth, etc.

H. B. 168. An Act for the benefit of Mrs. Alice Moneymaker, widow of W. L. Moneymaker, who lost his life in the service of the Commonwealth of Kentucky.

H. B. 621. An Act providing for the extension for teachers' certificates in the Commonwealth of Kentucky.

H. B. 558. An Act creating the office of stenographer to the County Attorney in counties containing cities of the 1st and 2nd classes, etc.

H. B. 670. An Act permitting Public School Tuition Contracts to be made by School District Board.

H. B. 707. An Act relating to the Primary System of Roads and Highways.

H. B. 711. An Act relating to the Primary System of Roads and Highways.

H. B. 713. An Act relating to the Primary System of Roads and Highways.

H. B. 714. An Act relating to the Primary System of Roads and Highways.

H. B. 715. An Act relating to the Primary System of Roads and Highways.

H. B. 716. An Act relating to the Primary System of Roads and Highways.

H. B. 718. An Act relating to the Primary System of Roads and Highways.

H. B. 720. An Act relating to the Primary System of Roads and Highways.

H. B. 721. An Act relating to the Primary System of Roads and Highways.

H. B. 722. An Act relating to the Primary System of Roads and Highways.

H. B. 724. An Act relating to the Primary System of Roads and Highways.

H. B. 726. An Act relating to the Primary System of Roads and Highways.

H. B. 728. An Act relating to the Primary System of Roads and Highways.

H. B. 736. An Act relating to the Primary System of Roads and Highways.

H. B. 746. An Act relating to the Primary System of Roads and Highways.

H. B. 747. An Act relating to the Primary System of Roads and Highways.

H. B. 751. An Act relating to the Primary System of Roads and Highways.

H. B. 756. An Act relating to the Primary System of Roads and Highways.

H. B. 762. An Act relating to the Primary System of Roads and Highways.

H. B. 764. An Act relating to the Primary System of Roads and Highways.

H. B. 769. An Act relating to the Primary System of Roads and Highways.

H. B. 777. An Act relating to the Primary System of Roads and Highways.

H. B. 778. An Act relating to the Primary System of Roads and Highways.

H. B. 779. An Act relating to the Primary System of Roads and Highways.

H. B. 780. An Act relating to the Primary System of Roads and Highways.

H. B. 783. An Act relating to the Primary System of Roads and Highways.

H. B. 784. An Act relating to the Primary System of Roads and Highways.

H. B. 785. An Act relating to the Primary System of Roads and Highways.

H. B. 786. An Act relating to the Primary System of Roads and Highways.

H. B. 787. An Act relating to the Primary System of Roads and Highways.

H. B. 790. An Act relating to the Primary System of Roads and Highways.

H. B. 807. An Act relating to the Primary System of Roads and Highways.

H. B. 809. An Act relating to the Primary System of Roads and Highways.

H. B. 811. An Act relating to the Primary System of Roads and Highways.

H. B. 815. An Act relating to the Primary System of Roads and Highways.

H. B. 816. An Act relating to the Primary System of Roads and Highways.

H. B. 817. An Act relating to the Primary System of Roads and Highways.

H. B. 818. An Act relating to the Primary System of Roads and Highways.

H. B. 819. An Act relating to the Primary System of Roads and Highways.

H. B. 820. An Act relating to the Primary System of Roads and Highways.

H. B. 821. An Act relating to the Primary System of Roads and Highways.

H. B. 822. An Act relating to the Primary System of Roads and Highways.

H. B. 825. An Act relating to the Primary System of Roads and Highways.

H. B. 827. An Act relating to the Primary System of Roads and Highways.

H. B. 836. An Act relating to the Primary System of Roads and Highways.

H. B. 837. An Act relating to the Primary System of Roads and Highways.

H. B. 839. An Act relating to the Primary System of Roads and Highways.

H. B. 840. An Act relating to the Primary System of Roads and Highways.

H. B. 841. An Act relating to the Primary System of Roads and Highways.

H. B. 842. An Act relating to the Primary System of Roads and Highways.

H. B. 856. An Act relating to the Primary System of Roads and Highways.

H. B. 858. An Act relating to the Primary System of Roads and Highways.

H. B. 862. An Act relating to the Primary System of Roads and Highways.

H. B. 863. An Act relating to the Primary System of Roads and Highways.

H. B. 864. An Act relating to the Primary System of Roads and Highways.

H. B. 865. An Act relating to the Primary System of Roads and Highways.

H. B. 866. An Act relating to the Primary System of Roads and Highways.

H. B. 867. An Act relating to the Primary System of Roads and Highways.

H. B. 868. An Act relating to the Primary System of Roads and Highways.

H. B. 869. An Act relating to the Primary System of Roads and Highways.

H. B. 871. An Act relating to the Primary System of Roads and Highways.

H. B. 872. An Act relating to the Primary System of Roads and Highways.

H. B. 873. An Act relating to the Primary System of Roads and Highways.

H. B. 876. An Act relating to the Primary System of Roads and Highways.

H. B. 877. An Act relating to the Primary System of Roads and Highways.

H. B. 878. An Act relating to the Primary System of Roads and Highways.

H. B. 879. An Act relating to the Primary System of Roads and Highways.

H. B. 880. An Act relating to the Primary System of Roads and Highways.

H. B. 881. An Act relating to the Primary System of Roads and Highways.

H. B. 882. An Act relating to the Primary System of Roads and Highways.

H. B. 883. An Act relating to the Primary System of Roads and Highways.

H. B. 885. An Act relating to the Primary System of Roads and Highways.

H. B. 886. An Act relating to the Primary System of Roads and Highways.

H. B. 892. An Act relating to the Primary System of Roads and Highways.

H. B. 832. An Act relating to the Primary System of Roads and Highways.

H. B. 848. An Act relating to the Primary System of Roads and Highways.

H. B. 849. An Act relating to the Primary System of Roads and Highways.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

At the hour of ten-ten o'clock P. M. the Chief Clerk of this House reported to the House that pursuant to a resolution adopted by this House on to-day, that he had received no reply from the Louisville Courier-Journal and that a copy of the resolution was dispatched to the President of the United States, Franklin Delano Roosevelt, as directed by the resolution.

Mr. Love of the Committee on Enrollment, reported that they had examined and found to be correctly enrolled, bills and resolutions of the following titles, viz.:

S. B. 104. An Act relating to the Primary System of Roads and Highways.

S. B. 76. An Act relating to the Primary System of Roads and Highways.

S. B. 156. An Act relating to the Primary System of Roads and Highways.

S. B. 167. An Act relating to the Primary System of Roads and Highways.

S. B. 172. An Act relating to the Primary System of Roads and Highways.

S. B. 188. An Act relating to the Primary System of Roads and Highways.

S. B. 121. An Act relating to the Primary System of Roads and Highways.

S. B. 171. An Act relating to the Primary System of Roads and Highways.

S. B. 116. An Act relating to the Primary System of Roads and Highways.

S. B. 168. An Act relating to the Primary System of Roads and Highways.

S. B. 169. An Act relating to the Primary System of Roads and Highways.

S. B. 187. An Act relating to the Primary System of Roads and Highways.

S. B. 66. An Act relating to the Primary System of Roads and Highways.

S. B. 74. An Act relating to the Primary System of Roads and Highways.

S. B. 77. An Act relating to the Primary System of Roads and Highways.

S. B. 160. An Act relating to the Primary System of Roads and Highways.

S. B. 70. An Act relating to the Primary System of Roads and Highways.

S. B. 119. An Act relating to the Primary System of Roads and Highways.

S. B. 103. An Act relating to the Primary System of Roads and Highways.

S. B. 71. An Act relating to the Primary System of Roads and Highways.

S. B. 69. An Act relating to the Primary System of Roads and Highways.

S. B. 72. An Act relating to the Primary System of Roads and Highways.

S. B. 67. An Act relating to the Primary System of Roads and Highways.

S. B. 68. An Act relating to the Primary System of Roads and Highways.

S. B. 64. An Act relating to the Primary System of Roads and Highways.

S. B. 75. An Act relating to the Primary System of Roads and Highways.

S. B. 164. An Act relating to the Primary System of Roads and Highways.

S. B. 298. An Act providing for the method of withdrawal of shares in building and loan associations, etc.

S. B. 94. An Act concerning the printing of the official ballot in General elections, etc.

S. B. 36. An Act prescribing punishment for robbery and burglary.

S. B. 98. An Act relating to adopted children.

S. B. 173. An Act allowing claims of election officers, etc., of the County Election Commission to be used by the holders of such claims to pay State or County taxes.

S. B. 93. An Act to amend Carroll's Kentucky Statutes, 1930, excluding married women, etc.

S. B. 24. An Act relating to building and loan associations.

S. B. 12. An Act to authorize an administrator *de bonis non,* etc., to maintain an action against his predecessor, etc.

S. B. 92. An Act to amend and re-enact Section 2525 of Carroll's Kentucky Statutes 1930, time within which persons under disability must bring actions, etc.

S. B. 86. An Act relating to witnesses in felony cases.

S. B. 143. An Act relating to elk and deer.

S. B. 6. An Act that no conduct or representation made by any officer of any county shall be received as evidence against or serve to estop any county from contesting the legality of any tax, etc.

S. B. 141. An Act for the protection of ruffed grouse.

S. B. 126. An Act relating to the Primary System of Roads and Highways.

S. B. 87. An Act to amend and re-enact Section 346 of Criminal Code of Practice, Carroll's 1932.

S. B. 288. An Act relating to the Primary System of Roads and Highways.

S. B. 220. An Act relating to the Primary System of Roads and Highways.

S. B. 218. An Act relating to the Primary System of Roads and Highways.

S. B. 285. An Act relating to the Primary System of Roads and Highways.

S. B. 113. An Act permitting G. S. Profett as next friend to sue the Commonwealth of Kentucky.

S. B. 329. An Act relating to the Primary System of Roads and Highways.

S. B. 306. An Act relating to the Primary System of Roads and Highways.

S. B. 109. An Act relating to the Primary System of Roads and Highways.

S. B. 322. An Act relating to the Primary System of Roads and Highways.

S. B. 271. An Act relating to the Primary System of Roads and Highways.

S. B. 272. An Act relating to the Primary System of Roads and Highways.

S. B. 219. An Act relating to the Primary System of Roads and Highways.

S. B. 270. An Act relating to the Primary System of Roads and Highways.

S. B. 244. An Act relating to the Primary System of Roads and Highways.

S. B. 245. An Act relating to the Primary System of Roads and Highways.

S. B. 283. An Act to amend and re-enact Chapter 436 of the Acts of 1932.

S. B. 339. An Act relating to the Primary System of Roads and Highways.

S. B. 338. An Act relating to the Primary System of Roads and Highways.

S. B. 328. An Act relating to the Primary System of Roads and Highways.

S. B. 266. An Act relating to the issue of Drainage Bonds.

S. B. 110. An Act relating to the State Tax Commission.

S. B. 246. An Act relating to the Primary System of Roads and Highways.

S. B. 242. An Act relating to the Primary System of Roads and Highways.

S. B. 243. An Act relating to the Primary System of Roads and Highways.

S. B. 269. An Act relating to the Primary System of Roads and Highways.

S. B. 330. An Act relating to the Primary System of Roads and Highways.

S. B. 268. An Act relating to the Primary System of Roads and Highways.

S. B. 214. An Act relating to the Primary System of Roads and Highways.

S. B. 257. An Act relating to the Primary System of Roads and Highways.

S. B. 88. An Act defining and prescribing the jurisdiction of justices and quarterly courts, etc.

S. B. 321. An Act providing additional duties of the County Treasurer in counties of less than 50,000 inhabitants.

S. B. 258. An Act to regulate sales of real estate held by trustees under express trusts.

S. B. 200. An Act relating to the licensing of motor vehicles.

S. B. 38. An Act relating to the Primary System of Roads and Highways.

S. B. 361. An Act to regulate toll bridges and ferries.

S. B. 314. An Act to amend and re-enact the "Bingham Co-operative Marketing Act", etc.

S. B. 129. An Act relating to records of Quarterly courts.

S. B. 286. An Act relating to the Primary System of Roads and Highways.

S. B. 304. An Act relating to bonds to be executed by Circuit and County Court Clerks, etc.

S. B. 178. An Act relating to salaries of Commissioners.

S. B. 342. An Act relating to the operation of passenger train service, etc.

S. B. 350. An Act relating to old age pensions.

S. B. 249. An Act creating the office of State Budget Officer.

S. B. 366. An Act to abolish the Department of Library and Archives, etc.

S. B. 131. An Act relating to the appointment of trial Commissioners.

S. B. 336. An Act appropriating $5,000 for the purpose of erecting a Jefferson Davis statue.

S. B. 152. An Act to prevent the marring or destruction of trees, shrubs, etc.

S. B. 217. An Act fixing the duties of County Court Clerk, relating to the registration of motor vehicles.

S. Res. 23. Resolution authorizing W. E. Clark to sue the Commonwealth.

S. Res. 38. Resolution authorizing Albert H. Bowen and Rosa Bowen to sue the Commonwealth.

S. Res. 39. Resolution authorizing personal representative of William Dexter Lantrip to sue the Commonwealth.

S. Res. 31. Resolution authorizing the administrator of the estate of Henry Helton to sue the Commonwealth.

S. Res. 33. Resolution to Hon. Henry A. Wallace, concerning the purchase of game refuge.

S. Res. 56. Resolution for the benefit of ministers of the churches of Frankfort.

H. B. 376. An Act to prohibit the manufacture, transportation, possession or disposition of spirituous, vinous or intoxicating liquors, etc.

H. B. 606. An Act amending Sections 2492, 2493, 2494 and 2495, Kentucky Statutes, Carroll's 1930 Edition, providing additional security for the payment of claims for labor, etc.

H. B. 99. An Act repealing and re-enacting Chapter 50 of the Acts of the General Assembly of the Commonwealth of Kentucky, etc.

H. B. 334. An Act creating the office of second assistant County Attorney in counties having a population of 250,000 or more.

H. B. 565. An Act to amend and re-enact Sections 6 and 13 of Chapter 160 of the Acts of the General Assembly for the year 1932, enabling cities of the 2nd class to acquire, construct, improve, operate and maintain bridges across navigable streams.

H. B. 283. An Act to prohibit the fraudulent manufacture, sale, gift or use of tokens, tickets, slugs, etc., for use in the operation of vending machines.

H. B. 477. An Act authorizing, empowering, ordering and directing the Auditor of Public Accounts and the Treasurer to refund to all purchasers of motor vehicle licenses for the year 1934, etc.

H. B. 322. An Act to appropriate $800 per annum for care of Confederate Veterans living at Pewee Valley, Ky.

H. B. 558. An Act creating the office of stenographer to the County Attorney in counties containing cities of 1st and 2nd classes.

H. B. 781. An Act providing for rules and regulations for the operation of nudist colonies.

H. B. 168. An Act for the benefit of Mrs. Alice Moneymaker.

H. B. 394. An Act to create a committee of four, etc.

H. B. 654. An Act to amend and re-enact Section 3766d-2, Kentucky Statutes, 1930 Edition, pertaining to Kentucky State Parks.

H. B. 547. An Act to amend and re-enact Section 4036 Kentucky Statutes, Carroll's 1930 Edition, relating to the lien of a purchaser at an invalid tax sale.

H. B. 388. An Act to regulate and prohibit the sale of "loco weed."

H. B. 602. An Act making it a felony for any person or persons to dynamite fish in any stream, etc.

H. B. 432. An Act to repeal, amend and re-enact Section 1905-2 of Baldwin's Statutes, Carroll's 1930 Edition, relating to the license fees for catching of mussels.

H. B. 514. An Act providing educational opportunities for the orphans of soldiers, etc.

H. B. 297. An Act to repeal, amend and re-enact Section

1893d-9 Baldwin's Kentucky Statutes, relating to game and fish.

H. B. 671. An Act to amend and re-enact Section 1893d-5, Supplement to Kentucky Statutes, relating to non-resident fishing licenses.

H. B. 144. An Act to authorize the State Librarian to furnish to the University of Kentucky certain duplicate documents, etc.

H. B. 670. An Act permitting public school service by contract or otherwise.

H. B. 317. An Act providing for the adoption and promulgation by the Court of Appeals of Kentucky of rules and regulations defining the practice of law, etc.

H. B. 165. An Act providing for verdicts of juries in civil cases in inferior courts.

H. B. 555. An Act relating to the fiscal administration of counties.

H. Res. 36. Resolution authorizing the State Highway Commission of Kentucky to pay Russell County the sum of $2,933.75.

H. Res. 53. Resolution authorizing Mrs. Lane Taulbee Holliday to sue the Commonwealth.

H. Res. 79. Resolution providing for a Committee to study income tax measures.

H. Res. 64. Resolution of the House of Representatives and Senate for appointment of Committee to investigate the advisability of securing the birth place of Ollie James.

H. Res. 11. Resolution relating to history of Kentucky—Ambuscade of John Floyd and his men.

H. Res. 35. Resolution authorizing E. G. Barrass to sue the Commonwealth.

H. Res. 25. Resolution authorizing Ernest Miles and Mayme Miles to sue the Commonwealth.

H. Res. 42. Resolution authorizing the Irvine Construction Company to sue the Commonwealth.

H. Res. 65. Resolution authorizing E. E. Tarter of Hickman County to sue the Commonwealth.

H. Res. 43. Resolution authorizing Charles Grow to sue the Commonwealth.

H. Res. 52. Resolution for the benefit of the City of Stanford.

H. Res. 24. Resolution permitting F. Daniel to sue the Commonwealth.

H. Res. 78. Resolution requesting Governor to call the General Assembly in extraordinary session.

H. Res. 70. Resolution for help of enrolling clerks of Senate and House.

H. Res. 57. Resolution for the benefit of Jode Oliver, etc.

H. Res. 17. Resolution providing for the appointment of a temporary State Liquor Control Commission, etc.

H. B. 829. An Act to provide for the licensing of road,

highway and bridge contractors by the State Highway Commission.

H. B. 662. An Act to regulate the manufacture, possession, sale, exchange, etc., of opium and coca leaves.

H. B. 452. An Act amending and re-enacting Sections 14 and 16 of Chapter 19 of the Acts of 1916, relating to Insurance Agents.

H. B. 9. An Act to repeal amend and re-enact Section 165a-33 of Kentucky Statutes, Carroll's Edition, 1933 Supplement, being Section 34 of Chapter 17, etc.

H. B. 560. An Act entitled "An Act to require the State Inspector and Examiner to inspect and examine into the management, conduct and condition of all counties.

H. B. 618. An Act appropriating $100,000 out of the general expenditure fund for the purpose of paying salaries and other expenses incident to holding the 1934 legislative session.

H. B. 260. An Act to repeal, amend and re-enact Chapter 145 of Act of 1932, redistricting the State of Kentucky into nine Congressional districts.

H. B. 369. An Act amending Section 907a, Kentucky Statutes, Carroll's 1930 Edition, to change the uniform fiscal year for counties.

H. B. 98. An Act to repeal and re-enact Section 794 of Baldwin's Kentucky Statutes, relating to shooting or throwing at or into railroad engines, etc.

H. B. 639. An Act to authorize the University of Kentucky and State Teachers Colleges to acquire by construction

or extension, buildings to be used in connection with such institutions.

H. B. 636. An Act to authorize cities of the 1st, 2nd, 3rd, 4th, 5th and 6th classes to acquire elementary and/or high school buildings, etc.

H. B. 635. An Act to authorize boards of education, etc., to convey real estate for school sites.

H. B. 808. An Act relating to the present employees of the General Assembly.

H. B. 360. An Act providing for the consolidation of the offices of jailer with that of sheriff in each county.

H. B. 556. An Act to repeal paragraph 20 of Chapter 106 of the Acts of 1932, etc.

H. B. 543. An Act to create a State Planning Board of nine members to serve without salary and to prepare and adopt a plan or plans for the harmonious development of the State, etc.

H. B. 385. An Act abolishing the jury fund and the office of trustee of the jury fund.

H. B. 231. An Act to amend and re-enact Sections 3, 5, 6, 8, 9 and 13 and 15 of Chapter 155 of the Acts of 1920, entitled "An Act to establish an Athletic Board, etc."

H. B. 182. An Act to appropriate to school teachers in 43 counties of the Commonwealth the amount due such teachers when the Equalization Law, etc.

H. B. 691. An Act permitting persons who have held

teachers' certificates to take the 1934 teachers' examination, etc.

H. B. 362. An Act to amend and re-enact Section 1160, Kentucky Statutes, Carroll's Edition, 1930, relating to assault with intent to rob.

H. B. 601. An Act providing for the payment of *ad valorem* taxes of 4th class cities, etc.

H. B. 859. An Act repealing Section 1992a-26, Carroll's Kentucky Statutes, Baldwin's 1930 Revision.

H. B. 650. An Act to provide to each Division of the Chancery Branch of the Circuit Courts in counties having a population of 200,000 or more, etc.

H. B. 217. An Act relating to the Primary System of Roads and Highways.

H. B. 365. An Act relating to the Primary System of Roads and Highways.

H. B. 366. An Act relating to the Primary System of Roads and Highways.

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H. B. 849. An Act relating to the Primary System of Roads and Highways.

Thereupon all other business was suspended, said bills and resolutions were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that said bills and resolutions which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of this House deliver said bills and resolutions which originated in this House to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bills and resolutions, duly signed by the President of the Senate into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills and resolutions to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Mr. Love of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

H. Res. 55. Resolution providing for the payment of money to G. W. Lawrence, etc., for extra services in caring for the State Capitol Building during the session of the Legislature.

H. B. 875. An Act providing that the Commissioner of Agriculture and the Kentucky State Board of Agriculture shall have exclusive supervision over the State Fair.

H. Res. 77. Resolution declaring the bridge across the Ohio River in Henderson County to be "The Memorial Bridge."

H. B. 537. An Act governing the investment of funds of estates by guardians and committees.

H. B. 774. An Act to repeal Section 97 of Carroll's Kentucky Statutes.

H. B. 834. An Act granting to cities or towns within the Commonwealth of Kentucky the right to lay and maintain pipes or conduits, etc.

H. B. 638. An Act to authorize counties to acquire elementary and/or high school buildings, etc.

H. B. 587. An Act relating to revenue and taxation.

H. B. 637. An Act to authorize Boards of Education or Boards of Trustees of county school districts or independent graded common school districts to convey real estate for school purposes.

H. B. 323. An Act to appropriate $100 per annum from the State Treasury for the care and upkeep of Confederate Cemetery at Pewee Valley, Kentucky.

H. Res. 72. Resolution for the payment of money for jury services, etc.

H. B. 838. An Act to repeal, amend and re-enact Section 1938a-5 of Baldwin's Kentucky Statutes, relating to the protection of rabbits.

H. B. 826. An Act providing that funds realized from certain taxes and other revenue sources shall be credited to the General Expenditure Fund.

H. B. 753. An Act to regulate the Department of Mines and Minerals of the Commonwealth of Kentucky.

H. B. 621. An Act providing for the extension for teachers' certificates in the Commonwealth of Kentucky.

H. B. 538. An Act requiring executors, administrators, curators, trustees, guardians, etc., to publish notice of the date of filing of settlements, etc.

H. Res. 69. Resolution providing for furnishing Kentucky Directories.

H. Res. 68. Resolution authorizing William Cox to sue the Commonwealth.

Thereupon all other business was suspended, said bills and resolutions were read at length and compared in open

session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixd his signature thereto.

Ordered that the Enrolling Clerk of this House deliver said bills and resolutions to the Senate.

After a time the Enrolling Clerk of this House delivered the original and enrolled copies of said bills and resolutions into the possession of the Chief Clerk of this House, with the announcement that the President of the Senate had refused to sign same.

Ordered that the Chief Clerk deliver said bills and resolutions to the Governor with the message that said bills and resolutions were duly passed by the House of Representatives and the Senate of Kentucky, enrolled and signed by the Speaker of the House, delivered to the Senate and while the Senate was in open session and the President of the Senate presiding, he had refused to affix his signature thereto.

After a time the Chief Clerk reported that he had discharged that duty.

Dr. Hill moved that a Committee be appointed to inform the Senate that the House has completed the business before it and to request the Senate to appoint a similar Committee to act in conjunction with said Committee on the part of the House, to wait upon the Governor and inform him that the Senate and House of Representatives, composing this General Assembly, have completed their labors and are now ready to adjourn *sine die* and to ascertain from him if he has any further communication to make to the General Assembly.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Hill, Munford, Myers, Beatty and Harmon as members constituting said Committee.

After a time the Committee reported that they had discharged the duties imposed upon them and that they had been informed by the Governor that he had no further communication to make to the General Assembly.

The Journals of this House were then read and compared and approved by the House, and then the House adjourned *sine die*.

Approved:

W. E. ROGERS,
*Speaker, House of Representatives.*

Attest:

J. ERWIN SANDERS,
*Chief Clerk, House of Representatives.*

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